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AMERICANA

(AMERICAN HISTORICAL MAGAZINE)

VOL. IX. — PT I JAN-JUNE

January, 1914—December, 1914

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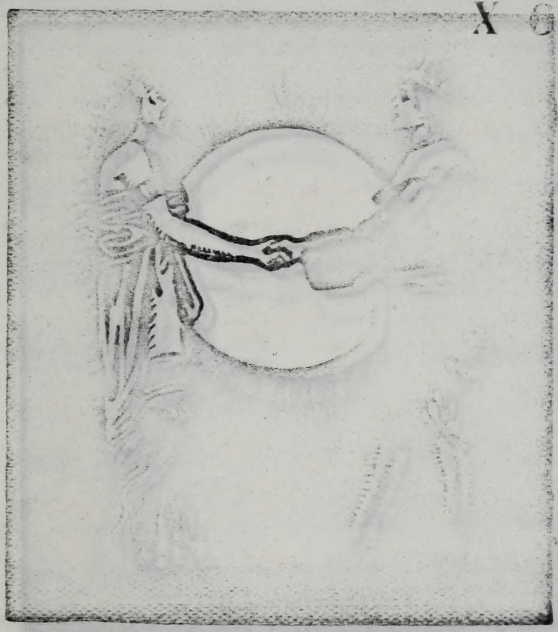

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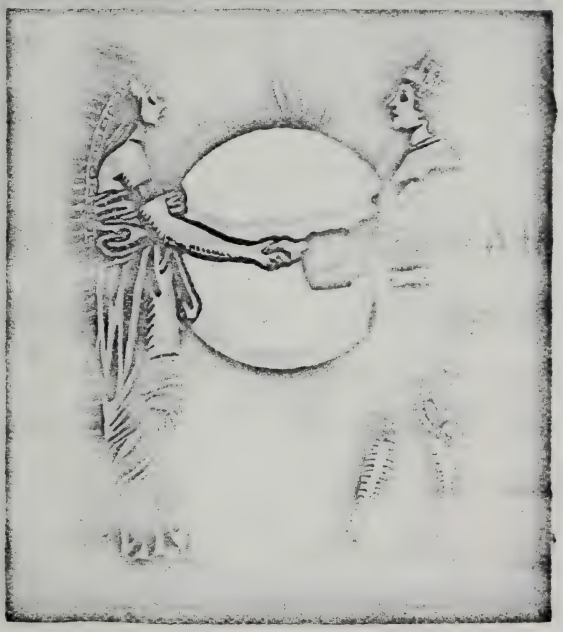

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Vol. IX $4.00 A Year
APRIL, 1914 No. 4

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Vol. IX $4.00 A Year
MAY, 1914 No. 5

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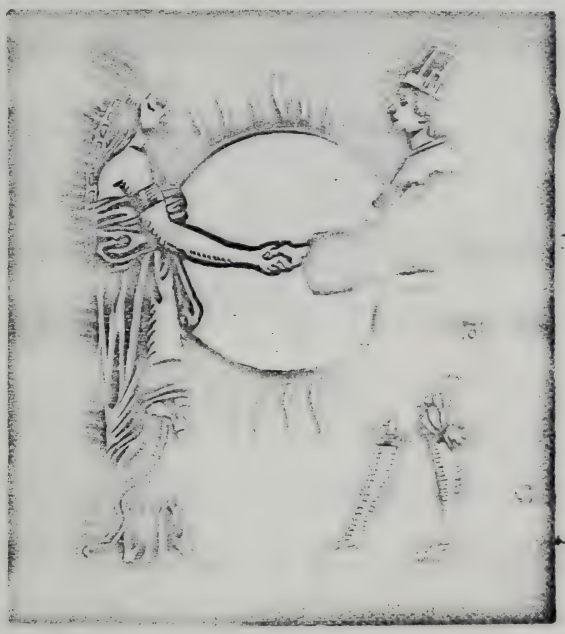

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Vol. IX $4.00 A Year
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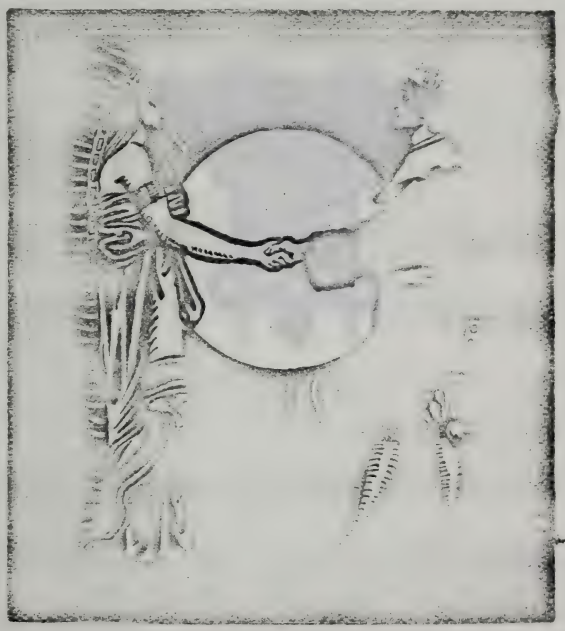

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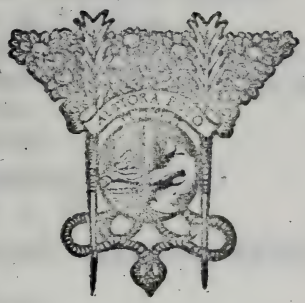

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Published by the National Americana Society,
DAVID I. NELKE, *President and Treasurer,*
131 East 23rd Street,
New York, N. Y.

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Published by the National Americana Society,
David I. Nelke, *President and Treasurer,*
131 East 23rd Street,
New York, N. Y.

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Published by the National Americana Society,
DAVID I. NELKE, *President and Treasurer*,
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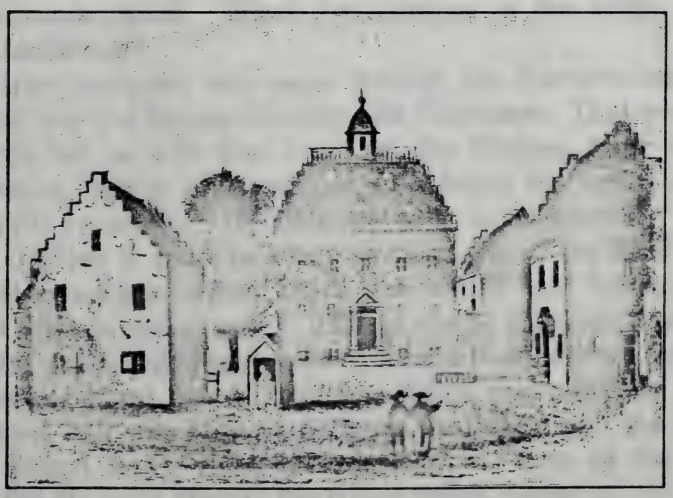
Seal of the City



First City Hall, Built in 1642

AMERICANA

January, 1914

Incidents in the Early History of Manhattan —New Amsterdam, or New York

BY JOSIAH C. PUMPELLY, A. M., LL.B.

BECAUSE New York is such a mighty commercial and manufacturing center one is apt to lose sight of the fact that it is a city also of great historic and romantic interest.

After a century of rule under both the Dutch as New Amsterdam and the English as New York, it was here that the union of states began its existence, here the constitution was set in motion, and here, on Golden Hill was shed the first blood in the contest that led up to the war for Independence.

In this article I propose to make plainer a few facts that are often misunderstood. What for instance is the origin of the name Manhattan?

The first European who came through the Narrows and up to this point was the Italian Giovanni da Verrazano. That was in the year 1524 but he who first explored the Hudson river was the Englishman, Henry Hudson, and so it bears his name, and the mate of his vessel the "Half Moon" says in his journal "We anchored October 2, 1609, in a bay on that side of the river that is called Manna-hata—where there was a cliff that looked of the color of a white and green." This is where Hoboken now is and the sailor supposed these rocks of our palisades were composed of copper or silver ore. This name which was taken by Hudson to Holland and was used as defining the island and the Indians on the island was a compound descriptive term of the Algonquins; the *Ma* as in Manito the Great Spirit means an object that is noble; *Na* means excellence, abundance; *ata* or *ta* a beautiful

scene or landscape. Another theory is that the word *menaten* is an Indian name for small island.

So the name fitted the scene, for Hudson declared it to be "the handsomest and pleasantest country that man can behold."

And while these shores were beautiful to the white man, they possessed special value for the redman because here, was the sea, *Nature's store-house of the Indian's wampum* or shell money. As today, so then, this was the great moneyed center.

Twice a year the sea would cast upon Long Island shores conch shells and quahoug, and out of the inside shell of these the aborigines, with much labor fashioned beads of *wampum,* which is white (silver) money, and *sucki* signifying black or gold money, and this money was used by every one, three black or six white beads being equivalent to one *stiver* with the Dutch or one penny with the English, and these beads strung on the sinews of animals were used in treaties and for ornament and greatly valued.

This now mighty metropolis had its origin in the pursuit of commerce and here was the centre of its treasure house even to the aborigines.

Adventure brought men to Virginia, politics and religion to New England, philanthropy to Georgia, but New York was founded by trade and it was nothing else that made the West India Company plan and counterplan to make the New Netherlands a paying investment; and this occurred fifty years before the Carolinas were colonized, sixty years before William Penn established a refuge for Quakers in what is now Pennsylvania, and one hundred years before Georgia had a settlement; and then there is another important fact that this colony was the beginning of the states of Connecticut, Delaware, New Jersey and New York.

Thus you see we are dealing with a momentous history and one that made greater progress after 1653 when the settlement became New Netherlands with New Amsterdam as the capital city.

As to the coat of arms of the colony it is replete with historic meaning. It was established in 1686 and thus had on it a Crown where is now an Eagle.

The Beaver and the Indian symbolize the fur trade as well as fierce warfare. The windmill is a reminder of Dutchland and

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with the flour barrels and the sailor reminds us that in 1687 New York had a monopoly—a regular trust we may say—having been granted the exclusive right to bolt flour and pack it for export. This trade grew to be most important and in 1694 six hundred of the nine hundred and thirty-eight buildings in the City were connected with or dependent upon the trade in flour, and two-thirds of the inhabitants were employed in the business. But the country people being allowed no share in this monopoly, in 1694 made a strong protest and the Bolting Act had to be repealed. However, the fine start the commerce of the settlement had received, justified this protection given to an infant industry in a new world. To return to the seal of the State, note that the inscription thereon reads thus: "Sigillum Civitatis Novum Eboraci," i. e. the seal of the City of New Eboracum the name given by King Eboracus who ruled in Yorkshire in England at the time David reigned in Syria. The King had twenty wives, thirty sons and thirty daughters and ruled sixty years.

This new name took its place on this soil on September 8, 1664, when the Dutch flag fell from Fort Amsterdam and the fussy hot-tempered, one-legged Governor Stuyvesant marched his conquered forces out of the main gateway across the parade and along Beaver street to the canal in what is now Broad street where boats were lying to carry them to ships at anchor in the stream.

Then in marched the English and Governor Nichols ran up the English flag over what then became Fort James.

Virtually that was the end of Dutch ownership hereabouts. For a little while—from July 30, 1673, until Nov. 10, 1674,—during the later war between England and Holland, the Dutch again were in possession of our city and gave it the name of New Orange. But that temporary reclamation had as its only result a slight retarding of the great development of the city, and of all the colony, which came with English rule.

We owe a great deal to the Dutch for they were our ancestors in Federal Government. Since A. D. 1579 they had a red, white, and blue flag; a naval flag of seven stripes, one for each State in the Union; *a written Constitution*, a Union of States, a Declaration of Independence, a Federal Government, with President and

Congress, together with all the problems arising from National supremacy and of State rights, union and secession. They used *in common speech* such phrases as the "*Cradle of Liberty,*" The "*Union Forever,*" and many others dear to Americans and supposed to have originated in New England. The Dutch understood at the outset that the revolt of the colonies in 1775 against Great Britain was made in the interest of freedom, law, and order, according to the principle of "no taxation without consent," enunciated so clearly by their first Netherlands Parliament in 1477, and modified by our fathers into the motto, "No taxation without representation." Hence, long before the United Netherlands formally recognized our country, "the intellectuals" of the Netherlands had discussed the American Revolution fully, written a whole library of pamphlets, and prepared the way for the final recognition in 1780 of the younger by the older republic.

In this matter of intelligence we note that in Holland it was the exception to find a person who could not read and write, and love of the Bible, is a distinctive Dutch trait.

These settlers brought with them in one hand the orange colors standing for courage and friendship and in the other hand the Bible representing their characteristic of pluck and prayer.

It was the Dutch settlers in the Mohawk Valley who nearly a hundred years before the Declaration of Independence refused to pay taxes to England and put the tax collector in jail.

It was the Dutch who founded the first day school and the first Protestant Church in this country. They also levied the first tariff in this country known as "staple right" which required all vessels to pay duty for passing the Port of New Amsterdam, and they promulgated the first excise law in New Amsterdam by putting a tax on wine and beer and a penalty on excessive drinking and when the drunken man was found, if they could not learn who was the seller of the liquor, a fine was imposed upon every drinking house located on the entire street.

Another odd law was this: In 1641 annual cattle and hog fairs were held and during these fairs no one attending thereon could be arrested for debt.

The Dutch dwellings were very quaint, standing gable end to

the street with "crow step roofs" so made to enable the chimney sweeps to reach the chimneys from the roofs.

The government was also peculiar. At what is now 73 Pearl street, (so called from the quantities of shells found there), stood the Stadt Huys or City Hall (1642 to 1700) and here Stuyvesant and his court of burgomasters and schaupins had their regular sittings with the schout who was mayor, sheriff, district attorney and chief of police, all in one, regulated all the affairs of the town all the way from taxation to directions as to when every burgher must go to bed.

It is well known that Governor Stuyvesant was famous for his edicts and especially firm against flirting. In 1658 there appeared in the city a spirit of frivolity and many loving and flirtatious couples who were often seen on the "Kissing Bridge" where now Roosevelt street joins Park Row, would agree to be married and after the banns had been published would calmly announce their change of mind and refuse to carry out their agreement, and so the scarcity of marriages worried the old heads of the Colony and yet the persuasions and entreaties of parents availed nothing and the number of sore hearts and slighted maidens increased.

January 15, 1658, Director General Stuyvesant stumped down to the fort accompanied by their High Mightinesses, the Honorable Councilors formulated and proclaimed by posters over the City the following edict.

"Whereas the Director General and Council of New Netherland are not only informed but have sufficiently ascertained that some individuals after their marriage banns have been three times proclaimed do not proceed with the solemnization of their marriages as they ought to do, but postpone it from time to time, not only weeks, but months, which is directly contrary to the good order and customs of the Fatherland;

"Being desirous to provide therefor and to prevent irregularities and disorders which may arise from that source, the Director-General and the Council do Command that all persons who have been published shall, after three proclamations have been made and no lawful impediments intervening, Solemnize the Marriage at least within a month after the last publication, or

to appear in court before that time and show cause for such delay, under the penalty of 10 gl. for the first week after the said month shall have elapsed, and for each following week fl. 20, until they shall have explained their non-compliance."

This declaration reminds us of how the Puritans used to forbid a man kissing his wife on the Sabbath or to make any beer on Saturday lest it should work on Sunday.

The Dutch hated slanderers and a man caught so offending was "struck through through the tongue with a red hot iron and banished from the province." "The town," says one writer, "is well shaded and like a garden most pleasant to walk in. There are frogs as well as birds in the trees and these animals make such a clamor as to make it difficult to make oneself heard in conversation.

The Englishmen found the Dutchmen good fellows and both realized there was room enough for them both and so there was a Dutch-English amalgamation which has given us some of the strongest and sturdiest characters in the world. It is hard to match the industry, determination and energy of those having this ancestry. The Huguenots though only four per cent. of the population were an exceedingly valuable element in the composite race, for they loved liberty, were earnest and upright and never engaged in race hostilities. They made a settlement at New Rochelle and on Saturday nights they tramped down to this settlement being careful to have their arms ready for fear of Indians and on arriving at Collect Pond, Sunday morning they washed, ate and rested, sang the sixtieth psalm and thereafter spent the sacred day in the services of their church in Marketfield street. Afterwards they visited their friends and then walked home at night.

It is true that the ruling impulse of the Dutch was the aggrandizement of a commercial company and differed widely from the advancing enthusiasm or national pride which inspired the founding of the English and French colonies in America.

Not only the Huguenots but the Swedes and many other nationalities aided in building up on these shores a cosmopolitan and tolerant communities, broad in its views, fearless in thought,

energetic in action and free from the limitations and narrow provincialism of Puritans or Cavaliers.

Of all the settlers none were, in many ways so interesting in their characteristics as the Huguenots emigres from France.

They first attempted a settlement in South America and afterwards upon the Carolina coast and Florida, but these colonists were treacherously massacred by the Spaniards who regarded any man not a Catholic as an outlaw, whom to murder was to do God a service.

Undismayed, they continued to avail themselves of every opportunity. When Hendrik Hudson in 1609 set out from Holland to explore the coast of New Jersey, Abraham Chamberlayne, a French Huguenot, contributed liberally to defray the expenses of the expedition. When the Mayflower in 1620 brought her load of colonists to Plymouth, Huguenot merchants liberallly aided their enterprise. Nor were the Huguenots backward in following. We find them in different places, in Boston and Salem, and in colonies upon Long Island and upon the banks of the Hudson.

The first Huguenot settlement in New Jersey was made upon the Hackensack river. Jean des Maretz was the leader of the little colony. He was from Picardy, the native land of John Calvin, and had fled thence to Holland to escape persecution. He made his residence for some years at Mannheim in the Lower Palatinate, emigrating in 1663 to the New Netherlands. He first purchased property in New Haarlaem, but after a few years, obtained the "French Grant" lying between the Hudson and Hackensack rivers, extinguishing the title of the aboriginal occupants and pledging himself to establish a colony of thirty families. Here he began his settlement in 1677, accompanied by Jacques La Rou. Other colonists soon followed, whose French names thinly disguised by Dutch orthography are still to be found. Of the number as inscribed in the register of the Reformed Church of Hackensack were Nikolas De Vaux, also from Mannheim afterwards De Vouw or De Voe, Jean du Rij, later Durie, Daniel De Vou, Andries Tiebout, Klaus Lozier, Romeyn, DeWitt, DeBaen, De Marce, De Witt, De Kaye, VerNois or Vernoy. The spelling of names appears to have changed from gen-

eration to generation, and there appears a disposition to merge the French forms into the Dutch and English.

David de Marest, the son of the original colonist, has been styled the "patriarch of Hackensack." He was the first to construct mills for the manufacture of flour and timber, and to open a commerce with New York. His sons, John, David and Samuel were prosperous citizens. Their names appear on church records and in official documents. It was upon their estate that the Major Andre was buried after his execution as a spy, and the Duke of York was a guest of Mr. John Demarest upon the occasion of his journey to America to superintend the removal of his body.

The descendants of the Demarest family are very numerous. They have generally remained in Bergen county, but many of them have made their homes in other places.

Other Huguenot refugees came into New Jersey from time to time, Madame de Maintenon, the morganatic wife of Louis XIV, had been herself a Huguenot, and to emphasize her conversion, prompted the royal fanatic to greater severity toward his Huguenot subjects. The dragonnades, the atrocities in the Cevennes and other cruelties were the result, and many thousands leaving their property behind, escaped into other countries. Many of them had been delicately reared and unused to privation. Jacob Caudebac (Cuddeback) who settled in Sussex county used to declare, that severe as he found the hardships, unaccustomed as he was to labor and exposure, they were light compared to the cruel inflictions upon the Huguenots in their own country.

The sons of these Huguenots, were the first to protest against British oppression, and to give their support to the measures recommended by the Continental Congress. Among them we find the names of Demarest, Ryerson, Gamaer (Guymard) and Cuddeback.

Another Huguenot colony was established at Princeton. This was a century later than the settlements of Bergen county. Some of the settlers were descended from Huguenot ancestors who had been converted back by the terrors of the fagot and torture-chamber; and others were from Gaudelupe. They took up their abode at Cherry Valley and Cedar Grove, and are described as of superior rank and intelligence.

One of these was General Peter A. Malon. He was a native of Belgium, and had served as the representative of that country to the National Assembly at Paris in 1793. He did not remain long in America, but returned to Europe in 1799 and entered a monastery.

Peter Bard, the progenitor of the Baird family, was from Dauphiny, and he became a citizen of New Jersey in 1713. He was a man of superior ability, and soon gained prominence in the affairs of the province. He was appointed to the Council from Burlington in 1718, and became Chief Justice in 1728. Colonel John Bard, his grandson, won fame in the Revolutionary war as Commander of the celebrated "Orange Rangers."

The Pintards and Freneaus were equally distinguished. Antoine Pintard was a fugitive after the revocation of the Edict of Nantes, and Samuel Pintard had been condemned to the galleys for his religion. John Pintard was a clerk of Mr. Jefferson when Secretary of War, and upon his resignation Philip Freneau was appointed in his place.

Freneau was the grandson of an emigrant from Rochelle, and had suffered the diabolical horrors inflicted upon the prison-ships in the Revolutionary war. He was an active Republican, and becoming the founder of the National Gazette in Philadelphia, signalized himself by severe criticisms upon the policy of General Washington, by whom he was held in utter detestation.

It would not be amiss to mention others of honorable distinction,—the Le Contes, the Bayards, the Chevalliers, the Ballaguirs. Like the famous knight of the age of chivalry, they were men without fear and beyond reproach.

Another was the famous Boudinot family. From the first promulgation of the reformation in France, the Baudinots were among its adherents. Elie Boudinot of Morans was distinguished alike for religious zeal and diligence in business. Apprehending a repetition of the hideous massacre of St. Bartholomew, and having no faith in the pledges of the perfidious Louis XIV who never kept word with Protestants, he emigrated to America. His son lived for a time in Philadelphia, but finally removed to Princeton.

Here young Elias Boudinot received his education, engaged

in the study of the law, and began practice at Elizabethtown. Alexander Hamilton, the son of a Huguenot mother, was an inmate of his family. At the breaking out of the Revolution Boudinot espoused the whig cause, and became celebrated by his activity and superior ability. He was prominent in the displacing of Governor Franklin; and was afterwards elected to Congress. He was president of that body in 1782 and signed the treaty of peace with Great Britain. He served in the Federal Congress in 1795, and then became Director of the Mint. Withdrawing from public life in 1805, he devoted his remaining years to religious and philanthropic enterprises. He contributed liberally to Princeton College, became the first president of the American Bible Society of which he was a founder, and took deep interest in the promotion of education among the Cherokee Indians. His generosity was equally only by few. He must be honored as virtually the Father of New Jersey and one of the most worthy of the illustrious men who laid the foundations of the new nation.

Alexander Hamilton, the son of a Huguenot mother, had been thrown upon the world by her death and his father's bankruptcy. At the age of fifteen he made his way to America and was received by Elias Boudinot and placed in school. He did ample honor to his benefactor. He wrote his name in our history and infused life into every pulse of the new republic. He labored with all his energy for a constitutional government, and next employed his efforts to establish its financial reputation. He was fiercely assailed, his motives questioned, and his probity impugned, but Albert Gallatin, the next great financial minister after him, making a severe examination of his procedures and official methods, gave him the tribute of perfect honesty. He was charged with favoring a monarchic government. It was hardly true, but anarchic communities universally end in imperial despotism. Even political parties preferring the broadest democratic sentiment, speedily yield up the right of private judgment and submit to the absolute domination of individuals in preference to the voice of the majority. We can hardly withhold admiration, therefore, from the foresight of Hamilton, who early descried this peril and sought to guard against it by hav-

ing only the best men in place, and the institutions of the country upon a permanent basis. So long as the ardor of patriotism warms the American heart, our people will award their highest meed of honor to Alexander Hamilton.

In the founding of free institutions and the dissemination of liberty of conscience, the Huguenots have always been at the forefront. Regarding freedom as a condition promoted by mental culture and intelligence, they were zealous supporters of learning. The school and the town meeting, which have been justly the boast of America, were adopted from the institutions established by the Protestants of France. If ever the initiative and the referendum become, as many are contemplating to make them, a part of our governmental system, it will be another outcome of Huguenot traditionary custom. It was from the same source that Lincoln derived the sentiment which he enunciated in his burning words, "a government of the People, for the People, by the People." Always were the Huguenots the champions of freedom, personal, political and religious; equally were they adversaries of injustice and bigoted intolerance. Believing implicitly in personal inspiration from heaven, they vigorously combatted in New England the superstition which culminated in the cruel hangings for witchcraft. Brave in war, they always sought to establish a reign of peace. Wherever they made their home, there was always a blessing upon the region. Holland owed much of her commercial supremacy to their endeavors; America has grown great from their assistance and the commonwealth of New Jersey, owes to them more than is supposed, the development of her mines, argriculture and manufactures; as well as the liberality and stability of her government.

ADDENDA

1. Haag; La France Protestante, Vol. I. "Pieces Justificatures." No. XVIII, p. 52.

2. Jean Ribaut was sent by Admiral Coligni in 1562 to found a colony, and left thirty persons near Hilton Head, but the attempt proved a miserable failure. A second expedition two years later was more promising, and a settlement begun at Fort

Caroline on St. John's river. It was attacked by Pedro Menendes, the Spanish adelantado, although Spain and France were then at peace. Upon an equivocal assurance of safety the colonists surrendered, and when once in the power of the Spaniards were murdered. Lutherans, it was protested, had no title to clemency under any circumstances.

3. Brown: Genesis of the United States. Vol. II, p. 852.

4. There was a Huguenot church in Boston, and several Huguenots settled in Salem. One of the latter bore the significant name of John Brown—Jean Brun. Another was Philip English who was carried at the time of the prosecution of the witches. The Puritan girl, Priscilla Molines, whose marriage to John Alden has been the theme of story and song, was also of the French refugee stock. Two presidents and numerous other persons of note are among her descendants. Rochelle, and other places on Long Island Sound, were Huguenot colonies, also Esopas and other places on the Hudson, and there were French congregations in New York, Harlem and Staten Island.

5. Rev. D. D. Demarest: The Huguenots on the Hackensack.

6. James Riker: Harlem; Its Origin and Early Annals, p. 392.

7. Leaming and Spear: Grants and Concessions.

8. Demarest: Huguenots on the Hackensack.

9. Winfield: History of Hudson County, p. 373. The Reformed Church of Bergen began in 1662, and for fifteen years services were held in a log school house. Having no pastor, it was supplied from New York at stated periods. Rev. Gualteras DeBois went three times a year for fifty-one years on these errands. The Des Marests, seven in number, and LaRou, united with this church in 1678. A few years later a Huguenot congregation and parochial school were established at Hackensack, and the Rev. Pierre Daille made occasional visits from New York. But the trend of Huguenot emigration was in other directions. Mr. Daille removed to Boston in 1696, and yielding to the inevitable, the French Church members united with the Reformed Church. Intermarriages and constant use of the Dutch language led to this consummation.

10. Demarest: Huguenots on the Hackensack. Among these

we find the names of Ferdon, Terhuen, Lozier, Hasbruc, DeMott, DeBaun.

11. DeCourey: History of the Catholic Church in America.
12. Haag: La France Protestante. "Archives Nationales."
13. New Jersey, Colonial Documents. Vol. IV; V.
14. New Jersey Colonial Documents. Vol. IX, p. 309.
15. Charles W. Baird; History of the Huguenot Emigration to America. Vol. I, p. 326.
16. Haag: La France Protestante. Vol. I.
17. James Parton; Life of Thomas Jefferson.
18. Baird: Huguenot Emigration to America. Vol. II, p. 298.
19. F. Haginot: History of Princeton.
20. McLean: History of Princeton College, Vol. II, p. 313.

Wisconsin Would Honor her Neglected Heroes

CONTRIBUTED BY JULIA A. LAPHAM, SECRETARY, WAUKESHA CO. HISTORICAL SOCIETY, OCONOMOWOE, WIS.

Biographical Sketches and Genealogy of the Cushing Family by John Howard Brown

"PERHAPS the most conspicuously daring trio of sons of one mother of any whose exploits have been noted in the pages of history." . . . This is the characterization given by T. W. Haight, their biographer, of three Wisconsin-born warriors of the fight to save the Union. Yet, notwithstanding their extraordinary deeds of bravery, no public monument commemorates their valor.

Circular

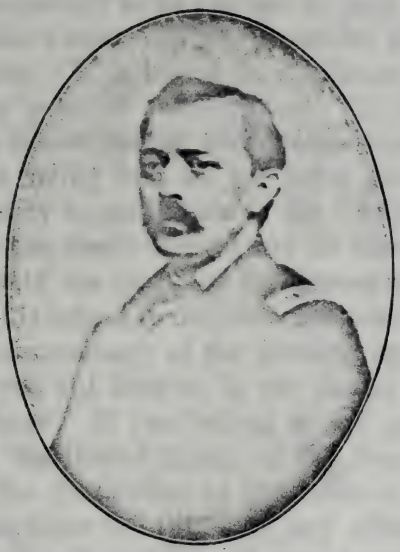
CUSHINGS MONUMENT COMMITTEE

WAUKESHA COUNTY HISTORICAL SOCIETY

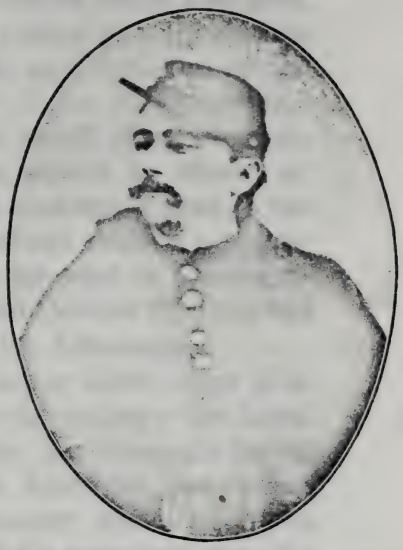
O. P. Clinton, Waukesha, Chairman-Treasurer; Luella P. Edwards, Eagle, Vice President; Henry Lockney, Waukesha, Secretary; Theodora W. Youmans, Waukesha; Virginia A. Brewster, Delafield; Wm. H. Stockman, Mukwonago; Philip H. Jones, Delafield.

The Waukesha County Historical Society has taken the initiative in erecting a monument to the memory of the three heroic Cushing brothers, who at one time resided in Waukesha County, but whose valorous deeds are a part of the historic glory of the State of Wisconsin and the whole nation.

At its meeting in May, 1911, a committee was appointed to have charge of the raising of funds, the selection of a site and the erection of a suitable monument thereon. Through their efforts, in tardy recognition of the remarkable heroism of her



PAYMASTER MILTON B. CUSHING



LIEUTENANT HOWARD B. CUSHING

LIEUT.-COLONEL ALONZO H. CUSHING,
Killed at Gettysburg

COMMANDER WILLIAM B. CUSHING
of "Albemarle" fame

native sons, the State of Wisconsin has appropriated $5,000.00 for a monument to be erected at their childhood home, Delafield, Waukesha County, in the beautiful lake region of southeastern Wisconsin. It is hoped to duplicate this appropriation of the State by popular subscription. In view of the fact that their glorious achievements and deaths were in behalf of our country, it seems fitting that all her loyal citizens should be offered an opportunity to contribute to the Cushings monument fund to the end that the shaft erected and its surroundings shall be commensurate with the deeds of the heroes it is intended to commemorate. It is hoped to dedicate the monument October 27, 1914, the fiftieth anniversary of the blowing up of the Albemarle.

Will you not help us in our desire to honor these brave Wisconsin boys? If you belong to any patriotic society—the Loyal Legion, the Grand Army of the Republic, the Women's Relief Corps, the Daughters or the Sons of the American Revolution, the Daughters of 1812—or any other society which might be interested, will you not ask your society for a contribution to the monument fund? Individual gifts are also solicited. Contributions may be sent to the address below and will be gratefully received. Prompt response is urgently requested. The names and addresses of all donors will be a matter of record deposited in the archives of the Waukesha County Historical Society.

We sincerely hope you may be able to assist us in this undertaking, the completion of which will not only accord honor where honor is pre-eminently due, but will also serve as an object lesson in patriotism for the youth of our nation.

O. P. Clinton,
Treasurer.

Co-National Exchange Bank, Waukesha, Wis.

A STATELY SHAFT WILL SHOW WHERE W. B. CUSHING WAS BORN.

Milwaukee Journal, Nov. 30, 1913.

[BY A STAFF CORRESPONDENT.]

Nailed to a piece of 2x4 scantling, driven into the sod on a long sloping hillside, at the foot of which a winding river runs, a rude board, painted white and roughly lettered in black, marks the

spot where once a log house stood. It was here that William B. Cushing, "the hero of the Albemarle," was born Nov. 4, 1842.

For years the field beside the river has been cultivated. Not a stick or vestige of the old log cabin remains. A woodchuck has dug his home beneath the marker and he sometimes sits with contemplative gaze before the hole which marks the entrance, or munching a carrot, filched from the garden up the lane, he watches warily the approach of an occasional pilgrim to the spot.

PARK TO SURROUND SHAFT.

All this will be changed if the plans of the Waukesha County Historical Society are consummated. A dignified shaft will take the place of the painted pine, and the sloping hill will become a park. Through the efforts of Assemblyman Philip Jones, Delafield, with the assistance of ex-State Senator Henry Lockney, Waukesha, and a number of others interested in preserving the historical spots in the state, an appropriation of $5,000 was obtained from the 1911 legislature for a monument, Judge George H. Noyes, Milwaukee, who worked on the farm on which the old house stood in 1863 and remembers it well, has donated to the society three acres surrounding the spot. The owners of the farm have contributed a strip along the river and a right-of-way from the road some distance away, and other old residents have contributed to a fund to purchase several additional acres so that the proposed park will contain about six acres along the river. A fund of about $5,000 is to be raised to meet the expense of building the road and a bridge across the river.

Friday, a meeting of the Cushing monument committee of the Waukesha County Historical Society was held at Waukesha to consider sketches of the proposed monument. There was at first some division of opinion as to the style of the memorial, some favoring a shaft and others a lower marker but the shaft has the lead at present. The committee consists of O. P. Clinton, Henry Lockney and H. W. Youmans, Waukasha; Philip Jones, Mrs. V. A. Brewster, Delafield; H. B. Edwards, Eagle, and W. H. Stockman, Mukwonago. The design must be approved by the governor and the County Historical Society before the appropriation

becomes available. Among those who may submit designs is Sig. Trentanove, who designed the Milwaukee Soldiers' monument and whose the Last of the Gladiators, in marble, is one of the choicest pieces of the Layton art gallery.

MILTON BUCKINGHAM CUSHING 1800-1847

MARY BARKER (SMITH) CUSHING 1807-1891

ALL HONOR TO THE PARENTS OF FOUR SUCH ILLUSTRIOUS SONS. The father of these heroes traces his ancestry through a long line of American, English and Norman families, distinguished in their day and generation beyond the usual attainments acquired through the accidents of birth, intensified by deeds of valor.

Matthew Cushing 8, American ancestor, came from Hingham, Norfolk, England, to New England, in 1638. He was baptized in Hardingham, Norfolk, England, March 2, 1589, the son of Peter 7, and Susan (Hawes) Cushing, Thomas 6, John 5, William 4, Thomas 3, Willis 2, Galfriedus Cusyn 1. [See Subsidy Rolls of Norfolk, 1327]. He was deacon in the Hingham church, organized by the Rev. Mr. Hobart, and married Nazareth, daughter of Henry Pitcher, of the family of which Admiral Pitcher of the British Navy belonged. The American line of descent is through Daniel 2, Jeremiah 3, Ignatius 4, Nathaniel 5, Zattu 6, who married Rachel Buckingham and removed from Plimpton, Mass., where he was born June 11, 1771, to Paris, Oneida county, N. Y.

Their son, William Buckingham Cushing, was born in Paris, Oneida county, N. Y., July 28, 1800, and died in Gallipolis, Gallia county, Ohio, April 22, 1847. He was graduated at Hamilton College A. B. and M. D., and he removed from Oneida county to Fredonia, Chautauqua county, N. Y., and thence to Zanesville, Ohio, where he practiced medicine and was married Nov. 25, 1823, to Abigail Browning Tupper, daughter of Col. Benjamin Tupper, granddaughter of General Rufus Putnam, and great-granddaughter of General Benjamin Tupper (1738-1792) the Ohio pioneer and friend of Rufus Putnam. Four children were

born of this marriage. After the death of his first wife he removed to Columbus, Ohio, and married June 12, 1836, Mary Barker Smith, who was born in Salem, Mass., Sept. 24, 1807, and died at the home of her daughter, Mary Isabel (Cushing) Bonton in St. Joseph, Mo., March 26, 1891. She was a descendant of the Adams and Alden families of Massachusetts, and a cousin of Rev. Admiral Joseph Smith (1790-1877) whose son, Lieut. Joseph B. Smith, was acting commander of the U. S. ship *Congress* at Hampton Roads, Va., March 8, 1862, and met his death when the *Congress* was driven from her anchorage by the Confederate iron clad *Merrimac* and sunk. Commander Buchanan of the *Merrimac* recovered his sword and sent it under a flag of truce to Washington, D. C., with directions to deliver it to Admiral Smith. After his marriage in Columbus, where his son, Milton Buckingham, Jr., was born, he removed to Milwaukee, Wis., where he engaged in the practice of medicine, removing thence to Delafield, Wis., in 1841, and to Chicago, Ill., in 1845, and to Gallipolis, Ohio, in 1848, where he died.

The issue of the marriage of Milton Buckingham Cushing and his second wife, Mary Barker Smith, was five sons and two daughters. Four of these sons reached maturity, and all of these were especially prominent in the Civil War as fighters and as patriots, the measure of their usefulness being only in proportion to the opportunities presented on the field in which they were prominent actors. To the students of heredity, the ancestry of both the father and mother of these heroic boys presents a subject worth study and analysis.

In recounting the deeds of these heroes we take them up in the order of their birth:

MILTON BUCKINGHAM CUSHING, 1837-1887

Milton Buckingham Cushing, Jr., eldest child of Dr. Milton B. and Mary Barker (Smith) Cushing, was born in Columbus, Ohio, April 20, 1837, died in Dunkirk, N. Y., January 1, 1887. He entered the navy, operating in the western rivers at the outbreak of the Civil War, serving in various capacities, mostly clerical, up to August 20, 1864, when he was appointed Acting Assistant Paymaster in

the U. S. Navy, receiving promotion to Past Assistant Paymaster, July 23, 1866, and Paymaster March 12, 1869. His duty called him in various posts, navy-yards and fleets up to 1882, his last active duty was with the fleets on the Mediterranean, 1879-80. He was married in Buffalo, N. Y., Dec. 28, 1868, to Ellen Douglas, daughter of Thomas P. Grosvenor, of Buffalo, N. Y. She died in Dunkirk, N. Y., May 21, 1898. They had no children. Paymaster Milton B. Cushing died in Dunkirk, N. Y., Jan. 1, 1887, and his remains were interred at Fredonia, N. Y., after an imposing military funeral under direction of the local post of the Grand Army of the Republic.

HOWARD BASS CUSHING, 1838-1871

Howard Bass Cushing, second child of Dr. Milton B. and Mary Barker (Smith) Cushing, was born in Milwaukee, Wis., Aug. 22, 1838. He learned the trade of printer and early in the civil war he entered the Union Army as a private in the volunteer service. His dash and daring won for him successive promotion in the regular service for bravery and a commission in the 3d U. S. Cavalry. After the close of the Civil War he was advanced in rank to first lieutenant U. S. A. and with the 3d U. S. Cavalry was stationed on the western frontier where the Indians were disturbing the peace of the settlers. He was killed in action May 5, 1871, in the Whetstone mountains southeast of Tucson, Arizona, while warring upon the Indian chief Cochise and his band of maurauders, his company being led into ambush and it was while fighting their way out that he won the reputation of being the bravest of the brave men who were instrumental in driving the savages from the place and making the homes of the new settlers safe.

Capt. Bourke, who served under him in Arizona, said:—"Howard was the bravest man I ever saw," and in his volume, "On the Border with Crook," also paid this testimonial:—

"Southern Arizona owed much to the gallant officers who wore out strength and freely risked life and limb in her defense; . . . but if there were any choice among them . . . the

verdict, if left to those officers themselves, would be in favor of Cushing."

Walter Cushing, third child of Dr. Milton B. and Mary Barker (Smith) Cushing was born in Milwaukee, Wis., Dec. 28, 1839, and died in infancy.

ALONZO HERSFORD CUSHING, 1841-1863.

Alonzo Hersford Cushing, fourth child of Dr. Milton B. and Mary Barker (Smith) Cushing, was born in Milwaukee, Wis., Jan. 19, 1841. He was graduated at the United States Military Academy, West Point, N. Y., June 24, 1861, and by reason of his high standing in the class was appointed to the artillery and commissioned second lieutenant. He was assigned to the 4th U. S. Artillery when only twenty years of age. He was on detachment duty on the staff of General Darius N. Couch at Marye Heights during the battle of Fredericksburg, Couch having command of the Second Army Corps in Sumner's Right Grand Division and was at his side when he (Couch) refused to withdraw his corps when Hooker wanted to relieve the corps in its critical position by placing Sykes's Division in front. Lieut. Cushing overheard his memorable "No! No men shall take the place of the Second Corps unless Sumner gives the order. It has fought and gained this ground and it shall hold it." At Gettysburg he commanded the 4th U. S. Artillery, in the artillery brigade of the Second Corps commanded by General Hancock, under Capt. John G. Hazard. The artillery brigade lost in the three days battle 27 killed, 119 wounded and 3 missing while withstanding the assault of Pickett's division at Culp's Hill in which two of the five battery commanders: Rorty and Cushing were killed, Woodruff mortally and Brown and Sheldon severely wounded. From the report of Brevet Major General Alexander S. Webb, who commanded the brigade we quote—"Lieutenant A. H. Cushing, 4th U. S. Artillery, fell, mortally wounded, at the fight by the side of his guns. Cool, brave, competent, he fought for an hour and a half, after he had reported to me that he was wounded in both thighs." From the official report of Col. Norman J. Hall we quote: Lieut. Cushing of Battery A, 4th U. S. Artillery chal-

lenged the admiration of all who saw him. Three of his limbers were blown up and changed with the caisson limbers under fire. Several wheels were shot off his guns and replaced, till at last, severely wounded himself, his officers all killed or wounded, and with but cannoneers enough to man a section, he pushed his gun to the fence in front and was killed while serving his last canister into the ranks of the advancing enemy." * * * Generals Garnett and Armistead were picked up near this point, together with many colonels and officers of other grades." The gallant Cushing was finally shot through the mouth and dropped dead on one side of his gun at the moment that General Armistead fell dead on the other side of the same gun. Speaking of the bravery of our hero Roosevelt says: "He was almost cut in two, but holding his body together with one hand, with the other he fired his last gun and fell dead. * * * Armistead fell dying, by the body of the dead Cushing." Gen. E. Porter Alexander of the reserve artillery of Longstreet's corps closes his account of the third day's fight as follows: "Of Pickett's three brigadiers, Garnett and Armistead were killed and Kemper dangerously wounded. Fry, who commanded Archer's third brigade which adjoined Garnett on the left, and in the charge was the brigade of direction for the whole force, was also left on the field desperately wounded. Of all Pickett's field-officers in the three brigades only one major came out unhurt. The men who made the attack were good enough. The only trouble was, *there were not enough of them.*" General Alexander Hays commanding the Third Division of the Second Army Corps reported as follows: He [Cushing] challenged the admiration of all who saw him. Mortally wounded he called to General Webb in desperation: "I'll give them one more shot—good bye—He served his last round of canister and died."

Our hero died on the battle field of Gettysburg, July 3, 1863, without the knowledge that that last shot which cost him his life, cost Pickett his defeat, and the Confederate forces the victory that appeared to be within their grasp.

WILLIAM BARKER CUSHING, 1842-1887

William Barker Cushing, fifth child of Dr. Milton B. and Mary Barker (Smith) Cushing, was born in Delafield, Wis.,

Nov. 24, 1842. The death of his father when he was five years of age, and the dependence of four growing sons on a widowed mother, determined his seeking employment and an education, through the influence of political friends of his father. He was a page in the United States house of representatives in Washington, at the time he received from President Buchanan an appointment as cadet at the United States Naval Academy at Annapolis, Md., in 1857. The Civil War cut short his term at Annapolis, and he resigned from the naval service March 23, 1861, in order to gain the advantage, not afforded in the regular service for active and immediate service. In May, 1861, he was commissioned master's mate and attached to the North Atlantic blockading squadron, operating along the coast of Maryland, Virginia and North Carolina.

On the very day of his arrival in Virginia waters he captured a tobacco schooner seeking to escape the blockade with a cargo valued at $30,000, and this was the first prize captured by the United States Navy. He was advanced to the rank of lieutenant, U. S. N., July 16, 1862, and was placed in command of the U. S. tugboat *Ellis,* in the sounds of North Carolina in November of that year. He was ordered to capture the seaport town of Jacksonville, N. C., intercept the Wilmington mail and destroy the salt works at New Juliet. He captured the town Nov. 23, 1862, destroyed a Confederate camp, secured the mail and took two prizes. On returning from the expedition the *Ellis* ran aground in the bow at the mouth of New river inlet, and he transferred his property and crew to one of the schooners he had captured and stood them off the inlet to prevent the Confederates capturing the *Ellis,* when the tide would float her. With six volunteers and one swivel gun he remained on board until a cross fire from the Confederates on shore, rendered his position dangerous and he forthwith set fire to the *Ellis* and escaped with his men in an open boat, under the guns of the land fort. He continued to make venturesome expeditions up the rivers and sounds. Two important raids were made in Cape Fear river. In order to effect the capture of General Louis Hebert at Smithville, he took two boats and twenty men, rowed past Fort Caswell in the darkness, landed at the town, concealed his men and

with a picked party he proceeded to the Confederate general's headquarters. The general being absent, Cushing captured one of his staff officers and carried him to the boats. This was in February, 1864. In June following he took one cutter and fifteen men and ran up the river nearly to Wilmington for the purpose of determining the obstructions below the city. He concealed his boats and men in the swamp in the day time and at night he re-embarked and made his intended reconnoissance and at daybreak landed again and took his men on foot through the low lands to the highway between Wilmington and Fort Fisher. On this scout he captured the courier with the mail from the fort. On the third night he examined the wreck of the Confederate gun-boat Raleigh and notified the government of its destruction. On his way out he eluded a large force of guard boats by his coolness and good judgment. He returned to his boats without the loss of a single man. This exploit determined the government to give him the task of capturing the *Albemarle,* the only formidable iron-clad in the North Carolina sounds. Her exploits up to that time included the recapture of the town of Plymouth and sinking the U. S. S. *Southfield* and engaging with considerable success the entire U. S. fleet in the open sea outside of Hatteras inlet. On the night of October 27, 1864, while in the Roanoke river he encountered the Confederate iron clad *Albemarle* returning to her anchorage after a successful encounter with the Federal fleet off the mouth of the river. The *Albemarle* had shown the Federal fleet commanders that they had an apparently invulnerable enemy who looked with great fear of a return of the iron clad the next morning, as a second risk would surely drive them off the coast or destroy the fleet. In this emergency Lieutenant Cushing proposed to blow up the *Albemarle* as she lay at anchor. As he left the fleet on this daring service he laughingly remarked: "Another stripe or a coffin!" For his purpose he organized a volunteer crew to man an open launch, and with an armed cutter in tow and he silently ran the picket guards stationed along the river banks and reached the *Albemarle* shrouded by a thick night fog. A single sentry was seen pacing her deck. Cushing ordering the crew of the cutter to engage the pickets guard

after he had cut her loose from the land, and with a full head of steam he steered the launch close along side the iron-clad, but was prevented boarding by an extended raft of logs anchored so as to prevent such a movement. The steam of the launch awoke the crew of the *Albemarle,* and they were forthwith called to quarters, but the launch was so close alongside that its presence was not detected in the darkness. The cutter was discovered further down the stream and fired upon, and the crew responded with a single howitzer. The speed of the launch carried her over the logs just as a shot from the *Albemarle* had found the little craft and disabled her. Cushing swung his torpedo spar under the great hulk looming over the land, and the explosion that followed tore a hole in the most vulnerable part of the iron-clad's armor below the water line. The *Albemarle* filled and sank in a few minutes and her crew escaped to the shore. Cushing and his volunteer crew were in the water, and he first directed each man to look out for himself, then he swam down stream for half a mile where he took to the wooded swamp, through which he wandered for hours greatly exhausted. A friendly negro directed him to the Federal gunboats at the mouth of the river. Of his companions, two were drowned, others were taken prisoners and subsequently exchanged, and one only reached a place of safety. Lieut. Cushing received letters of commendation from Secretary Welles, and the concurrent thanks of both houses of Congress. On October 27, 1864, he was promoted to the rank of lieutenant-commander.

He made use of his knowledge of the waters at the mouth of the Cape Fear river to buoy out the channels of the bay for the passage of the Federal fleet under Commander Porter in its attacks on Fort Fisher, which defended the harbor of Wilmington, N. C., in December, 1864, and in this service he exposed himself in an open boat for six hours under fire from Fort Fisher, not giving up until he had accomplished the task. In the second attempt to capture the fort, January 13 and 15, 1865, he commanded a company of sailors and marines from the *Monticello,* landing on the sea front of the fort, and with them he crossed the sands for 100 yards under a short range fire from the fort. He led the remnant over

the parapets and aided the land forces in gaining possession of the fort. He subsequently served first in the Pacific and then on the Asiatic squadron. He commanded the U. S. S. *Lancaster,* 1866-67, and the U. S. S. *Maumee,* 1868-69. He received promotion to commander Jan. 31, 1872, the youngest officer of that rank in the U. S. Navy. On account of ill health he was granted leave of absence and died in Washington, D. C., Dec. 17, 1874. He was buried with military honors in Arlington Cemetery, D. C.

Roosevelt declares that William B. Cushing was the embodiment of daring, cool courage, presence of mind and high mental capacity, and that "his name will stand forever among the brightest on the honor roll of the American navy."

The commander of the *Albemarle* pays this tribute to his successful assailant:—"A more gallant thing was not done during the war."

Mary Rachel Cushing, the sixth child of Dr. Milton B. and Mary Barker (Smith) Cushing, was born in Chicago, Ill., Oct. 1, 1845; died Sept., 1846.

Mary Isabel Cushing, the seventh child of Dr. Milton B. and Mary Barker (Smith) Cushing, was born in Chicago, Ill., Jan. 1, 1847; married (first) June 11, 1867, E. F. W. Gale, of Salem, Mass.; married (second) April 19, 1881, E. H. Bouton, of St. Joseph, Missouri, and had children: Alonzo Cushing Gale and Grace Buckingham Gale, and William B. Cushing Bouton, and Ferris Gouverneur Bouton.

Early Conditions in the American Colonies

BY JOEL NELSON ENO, A. M.

Joel Nelson Eno, son of Nelson and Harriet (Lillibridge) Eno, was born in Enfield, Conn., August 8, 1852. He was graduated at Brown University, A. B. 1883, A. M. 1886. He was a post-graduate in language at Yale, 1883, and a graduate of Pratt Institute library school, 1897. He was principal of New England High Schools, principally in the country regions of Massachusetts, Rhode Island and Connecticut, 1883-96; assistant librarian at Columbia University 1897-98; cataloguer in New York public library 1900-03, and in Yale University Library from 1903. He is the author of (Poems) "The Inner Circles" (1873): "A compendium of English Grammar," 1892, "Bio-Philosophy," 1913, and a contributor to high class periodicals.

AS in a portrait or picture the expression and lifelikeness are due mainly to specific details, so in a pen-picture of times remote in time and conditions, from our own. Figures, as well as facts, give us a sort of measuring-stick of comparison, applicable to both. The period here treated is that of settlement, and of the beginnings of colonial life and institutions. The hardships and privations suffered by the first settlers of the English colonies in America are hard to be conceived of by the present inhabitants. Perils by sea on the voyage attended both the first settlers of Virginia and of Plymouth. First, the ships, so-called, were of the size only of sailboats or fishing-boats. Of the three which set sail from the Thames for Virginia, Dec. 19, 1606, the Susan (or Sarah) Constant, was of 100 tons capacity, the Goodspeed of 40 tons, and the pinnace Discovery of only 20 tons; the Mayflower of Plymouth fame was 180 tons. Within the memory of men now living, perhaps only one man would voluntarily undertake to cross the Atlantic in so small a craft. Compare these with the modern steamship, the Celtic of 20,880 tons, the Oceanic of 17,274, and the Kaiser Wilhelm II. of 19,300 tons. After leaving the Thames, the three ships were held by storms for six weeks with-

in sight of the English coast. The course was guided mainly by that of Columbus and the Spanish, a long detour to southward from England, and on account of the weather and the way, they did not reach Cape Henry, (as they named it, from a son of King James I.) until April 26, 1607; and passing up the nearest river, the James, landed and began Jamestown May 13, chosen as an easy place for landing goods; but one of the worst for health, lying among marshes; but what could be expected of a band of 105 men of whom 46 were gentlemen of leisure, and only 12 designated "labourers," one surgeon, one blacksmith, two bricklayers, a drummer, 4 boys, and only four carpenters going to a land without a house? Nothing was built but rude cabins covered with sailcloth, dirt or thatch, and for a church a rotten tent, with a log for lectern; for Capt. Newport set to lading his two larger vessels with split clapboards for a return voyage. Swamp fevers, fluxes, and especially famine, reduced the 104 whom he left to 50; many times three or four per night dying; there were only scanty rations of barley washed down with brackish or otherwise unfit water. Total destruction stared them in the face when John Smith was chosen leader; and now with only 45 men, mostly ill, log cabins were built, and a log church. In December he spent about a month learning the customs and language of the neighboring Indians, the Paspehas killing his two white companions, and himself was saved by Pocahontas. The church burned Jan. 17, 1608; but Newport returning from England Jan. 12, stayed 14 weeks and it was rebuilt; April 20, his belated companion ship, with Capt. Nelson arrived. The London Company, who held the Va. charter, sent the "Mary & Margaret" which arrived in October; and in Dec. there were about 200 in the town, 50 or 60 houses, now surrounded by palisades 15 feet high. In May, 1609, nine ships sailed for Va. with about 500 men, women, and children; one ship was lost, and one cast on the Bermudas. Five ships returned to England Oct., 1609; then followed the dreadful "starving time"; the Indians refused provisions; and the settlers were reduced to eat roots, acorns, skins of 7 horses which had been sent, dead Indians and one white. "Not past 60 men, women, and children remained," May, 1610, when Somers appeared from Bermuda, and all

started for England, but met Lord Delaware, with 3 ships and supplies; and of 900 sent from England more than 700 had died. Until Delaware had been succeeded by Sir Thomas Dale as governor, May, 1611, no right of property had been established, the products of labor were deposited in public stores and shared in common. To remedy the indolence and indifference growing out of such a system, Sir Thomas assigned at first three acres of land, and later, 50 more to each settler; abandoning the plan of working in a common field. In 1619, the new governor, Sir George Yeardley, convened the first legislature in America, consisting of delegates chosen as representatives by the colonists, who met at Jamestown, June 29th; the first Assembly met (July 30, O. S.) Aug. 9th, 1619, N. S. Of 2540 immigrants to this time, 1640 had died; but during the year 11 ships arrived, with 1216 more, mostly young men; yet with 3500 more arriving to the time of the massacre in 1622, only 1258 then survived, whom the massacre reduced to 911. In order to attach the unmarried men to the settlement, 150 respectable young women were brought over in the next two years after the young men arrived, for wives; the expense being recovered by requiring each intending husband to pay the shippers 120 pounds of tobacco, the current price then being three shillings per pound; but as the supply of women became reduced, 150 pounds were willingly paid. Yet at the same time, King James ordered the transportation of 100 "undesirable citizens," under criminal charges; and in 1620 the slave trade was begun by the purchase of 30 negroes, from a Dutch man-of-war from Africa, as slaves. In 1622, Opecancanough, successor of Powhatan, brought the Indians to massacre the whites, 347 of whom were murdered suddenly in one day, April 1st. In the war which followed, the English settlements were reduced from 80 to 8; and in 1624, out of 9000 immigrants, only 1800 remained; the London Company, which had expended £150,000 in making the settlement, was dissolved, and its charter taken away, and Virginia madè a royal province; and the oppression by royal governors, especially, Berkeley, roused the people at length to "Bacon's Rebellion," the ill effects of which lasted for 30 years. In this civil war, Jamestown was burned, farming neglected, and most of the cattle killed, and famine im-

pended, 1675. The taxation which was the immediate occasion of the rebellion made an indelible impression on the Virginians of the fact that "taxation without representation, is tyranny."

The next colony in time, New Netherlands, had also severe Indian troubles, 1613 to 1645.

The 102 Pilgrims, after an unusually long and stormy voyage, and a tedious and discouraging exploration of the barren shores of Cape Cod, landed at Plymouth in the dead of winter, homeless, and practically without a country, and as heavily laden with debt as the little Mayflower was with passengers. A log house, about 20 feet square was first built for common use, and thatched with grass; its windows oiled paper; its floor full of beds. The Pilgrims were then grouped into 19 families; each was assigned a plot for house and garden, and by degrees log cabins were erected: only 7 the first winter. Want and exposure soon brought on sickness; six died before the end of December, eight in January, seventeen in February, and thirteen in March. The year 1621 brought the first harvest, followed by the first New England Thanksgiving day; and the ship Fortune, with about 50 additional settlers. 1623 brought a drought, and the first public fast, observed in July; in the evening began a series of showers which saved the harvest, celebrated by the second Thanksgiving day: in this year also the arrival of the emigrant ships Ann and Little James. In 1624, Edward Winslow brought the first cattle, a bull and three heifers, into New England at Plymouth. In 1627, the settlement with the Merchant Adventurers relieved the colony from the ruinous rates of interest paid them on the cost of outfit. Till 1628, when Miles Standish led a little colony to Duxbury, the town of Plymouth represented the whole colony. In 1629, Plymouth obtained its first pastor, Ralph Smith; Elder William Bradford, who had been assistant to John Robinson, having acted as pastor till that time; a man whose spirit was shown when the colony in straits for food, could find nothing but clams, he gave thanks to God over the meal, that He had given them to "suck of the abundance of the seas, and of treasures hid in the sand;" (the last blessing of Moses on the tribe of Zebulun. Deut. 33, 19). In 1630, the colony had only 300 colonists.

The Massachusetts Bay colony in 1628 was represented by Naumkeag. June 22, 1629, the ship George Bonaventure arrived at Naumkeag with 52 planters and some cattle. June 29, the ship Talbot arrived with above 100 planters, provisions, and a few goats, and the Lion's Whelp with 50 planters and provisions: soon "The Four Sisters," the Mayflower, and the Pilgrim; the arrivals during 1629, were in all, 300 men, 80 women, 26 children, 140 head of cattle, 40 goats, and a few sheep, which because of the abundance of wolves (or "lions" as the first settlers called them) on the mainland, were for safety kept on Samuel Maverick's (now Noddle's) island. About two-thirds of the new settlers remained at Naumkeag, which had about 10 houses; the remainder laid out Mishawum (Charlestown); the plan of allotment granted 50 acres of land to each person who transported himself and his family to the Bay colony; 200 acres to each "adventurer" who contributed £50 to the common stock, and at the same rate for additional contributions. There was no trace of communism, and at first no considerable democratic element. May 30, 1630, settlers passed by way of Nantasket to Mattapan, which their pastor (White) named from his native place, Dorchester. From June 12th to July 30th, eleven ships with Gov. John Winthrop and Sir Richard Saltonstall as leaders, landed at Charlestown, finding the colony in great distress; a fatal sickness prevailed at Charlestown, attributed to bad water; 80 colonists had died, and a great part of the rest were in a weak and sickly state, and their provisions nearly exhausted. Part of Winthrop's company passed up the Charles river and settled at Watertown; but most, being informed by Blackstone of the excellent spring near him at Shawmut, settled there, calling it at first "Trimountain" but soon after, Boston. Five more ships arrived in 1630; or 17 during the year, with an estimated number of 1500 passengers, in about 300 families; some of whom settled at Roxbury, Newtown, and Mystic, (now Medford). But the new arrivals, weakened by a long voyage, were involved in a like misery with those who preceded them in 1629; many had to live in tents, wigwams, and huts, while rude houses were being constructed, few comfortable, most miserably insufficient for protecting from the unaccustomed severity of the climate; this was

Block-House and City Gate in 1674

A Dutch Cottage in 1670

added to the disease, which before December, had carried off at least 200. Many were frozen to death. About 100, despairing, returned to England in the ships which brought them. During the winter, the stock of provisions grew short, though those who had, supplied those who had not, as long as any remained. Many kept alive only by eating shell-fish, ground-nuts, and acorns, procured with great difficulty through the snow and frost. In this perilous condition, the 6th day of February was appointed a day of public fasting and prayer for deliverance of God. On the 5th however, the ship Lion, which had been sent to England for supplies, arrived bringing them, and the fast was changed to a day of thanksgiving. A General Court was called in 1631, which decided that only freemen should have the power of electing the governor, deputy-governor, and assistants; and that membership in some church, was one prerequisite, in order that the electors should be "good and honest" men. After 34 years' trial, the colonists became convinced that the membership requirement was unnecessary, and they repealed it. Here, at first, as at Plymouth, the General Court was composed of all the freemen; but in 1634, the settlements had extended so that it was inconvenient for all the freemen to attend in person at one meeting-place; hence it was ordered that they should elect only the magistrates or governing officers, and deputies (or representatives), of their several towns, to whom they deputized the enactment of their laws. In 1635, about 3000 new settlers arrived. In 1643 came the union of the New England colonies.

On the 25th of October, 1635, sixty men, women, and children, from Newtown, and Watertown, and others from Dorchester, with their cattle, commenced their journey, through a trackless wilderness of forests, hills, swamps and rivers, to the Connecticut river; but the progress was so difficult and slow, that winter came upon them before they had brought all their cattle across the river, which by the 25th of November was frozen over, and the country covered with deep snow. The loss of the cattle of the company at Windsor was estimated at £200.

Since it had not been possible to carry furniture, or provisions except for immediate use on the way, such things had been sent on small vessels by sea, to come up the river; but the violent

storms had wrecked them on the coast; and about the 10th of December starvation stared the whole company in the face; a great part abandoned their camps. Seventy went down the river to meet the provisions; at 20 miles above the mouth they found the 60-ton Rebecca, which took them back to Boston; 13 started overland; one was drowned in the river; the other 12 were 10 days on their journey, and would have perished had it not been for the assistance of friendly Indians; those who remained lived on acorns, grain and a little malt, with help from hunting and from their Indian neighbors. In June, 1636, Rev. Mr. Hooker and Rev. Mr. Stone, with their congregations, left Dorchester and Watertown for their journey of more than 100 miles, driving 160 cattle, on whose milk they subsisted chiefly for the two weeks occupied in reaching their destination, Hartford, chiefly.

In March, 1637, the allies of the Pequots attacked the fort which guarded the mouth of the Connecticut, and killed three of its garrison. They had already, under pretence of friendship, come aboard Capt. Stone's little vessel, and after nightfall killed him and his crew, besides picking off individuals who had gone a little distance from their camps; and in April attacked a party going to the fields to work,—killed 6 men and 3 women; also captured two girls and killed 20 cows near the settlement, Wethersfield; total killed in these raids, about 30. A general court was summoned to meet at Hartford, May 11th; 90 men, about one-half of all able to bear arms, were levied; 42 from Hartford, 30 from Windsor, 18 from Wethersfield; these, with 70 river and Mohegan Indians, sailed down the Connecticut, and along the shore past the Pequot country; Captain Mason with 77 whites, and the Indians landed; attacked the fort at Mystic, suddenly, just before dawn on the 5th of June; the whites effected an entrance on the heels of the alarm, and drove out the Indians, probably at least ten times their number, and some armed with guns, though in desperate peril of their own total extinction, till the wigwams were fired, two of the whites being killed and 16 wounded in the battle; the Indians outside killed a great part of the Pequots as they came out of the fort. Two hundred troops asked from Massachusetts, now arriving, scattered and broke up the tribe, about 200 being added to the Mo-

storms had wrecked them on the coast; and about the 10th of December starvation stared the whole company in the face; a great part abandoned their camps. Seventy went down the river to meet the provisions; at 20 miles above the mouth they found the 60-ton Rebecca, which took them back to Boston; 13 started overland; one was drowned in the river; the other 12 were 10 days on their journey, and would have perished had it not been for the assistance of friendly Indians; those who remained lived on acorns, grain and a little malt, with help from hunting and from their Indian neighbors. In June, 1636, Rev. Mr. Hooker and Rev. Mr. Stone, with their congregations, left Dorchester and Watertown for their journey of more than 100 miles, driving 160 cattle, on whose milk they subsisted chiefly for the two weeks occupied in reaching their destination, Hartford, chiefly.

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begans, and the chief and others fleeing to the Mohawks. In the pursuit of these last, the Massachusetts soldiers became acquainted with Quinnipiac. Rev. John Davenport, a distinguished minister of London, to escape the persecution of Archbishop Laud, had fled in 1633 to Holland, and in conjunction with Theophilus Eaton, a London merchant, and others, decided to migrate to New England, and arrived in Boston, June, 1637; but at length chose New Haven as their future residence and on April 28th, 1638, kept their first Sabbath there, Rev. Mr. Davenport preaching under a large oak tree. The first meeting of electors was held in June, 1639, in a barn; at which, for the time being the rule was adopted that all freemen, if church-members should meet for public business; and that all cases which required the law should, till further notice be judged according to the Scriptures. Eaton was chosen governor annually, from 1639 till 1657. No other New England colony had so large a proportion of well-to-do people as New Haven, and none was so distinguished for good order and internal tranquility.

The progress of agriculture in the colonies was long hindered by the scarcity of tools, all of which had to be brought from England. Benj. Trumbull in his History of Connecticut reckons the number of ploughs in 1637 as 30 in Massachusetts, and 5 in Connecticut. The hoe ("howe") was the chief agricultural implement. Indian corn was at first the chief crop; rye was first raised in Massachusetts in 1633. Indian corn and tobacco were the chief crops of Virginia, and for the first thirty years the latter was its only export; during that time its price had fallen from three shillings and sixpence per pound, to 20 shillings per hundred pounds, or two and four-tenths pence per pound; hence they turned to the fur trade, adding to their exports some grain, tar and pitch. The chief exports of New England were furs and fish; the exports of codfish in 1641, reached 300,000. The trade was mostly in English ships. For many years all the merchandise of the colonies was imported; and the English government took care that their imports should be restricted to England; the balance of trade was in her favor, and was to be paid in gold or silver, the shortest way to obtain which was by trade with the West Indies. A Dutch ship of 160 tons was the

first directly from the West Indies to New England, and arrived at Marblehead in 1635. The first from New England to the West Indies was a 30-ton pinnace, in 1636. The ship Desire, of Salem, made a voyage in 1638, to New Providence and Tortuga, and returned laden with cotton, tobacco, salt, and a few negroes, the first in New England. The first importation of sugar and indigo on record from the West Indies was in 1639. In 1642, a Dutch ship exchanged a cargo of salt for plank and pipe-staves, the first export of lumber from New England; but during the next year 11 ships sailed for the West Indies with lumber. Notwithstanding the colonies were required to procure articles in England which they could obtain 20 per cent. cheaper elsewhere, and manufactories were forbidden, especially mills for slitting and rolling iron, colonial exports increased; New England increasingly furnished its own ships, and even sold many to England; the colonies sent lumber, pig and bar iron, copper ore, flax, hemp, tar, rosin, beeswax, fish, raw silk and tobacco to England; and lumber, beef, pork, butter, horses, poultry and other live stock, fish, apples, and many small vessels before the end of their first century. New York exported beef, pork, and in 1678, 60,000 bushels of wheat. In 1620, manufacture of iron, glass and some other, was attempted, but unsuccessfully, in Virginia; and in 1673, Chalmers writes of New England, "There be five iron works, which cast no guns; no house in New England has above twenty rooms; not twenty in Boston have ten rooms each; a dancing-school was set up here, but put down; a fencing-school is allowed. There be no musicians by trade. All cordage, sail-cloth and mats come from England; no cloth made there worth four shillings per yard; no alum, no copperas, no salt, made by their sun."

The first buildings of the settlers were made of logs and thatched , or were built of stone. Brick and frame houses were soon built in the larger towns, and afterward in the villages. The frames and brick were, however, in some instances, imported. The first mill in New England was a wind-mill, near Watertown; taken down in 1632, and moved to the vicinity of Boston. Water-mills began to be erected in 1633. The first

attempt to build a watercraft in New England was at Plymouth in 1626; the changing of a large boat into a sailing vessel by a house-carpenter. The first vessel built in Massachusetts colony was a bark in 1631, called "The Blessing of the Bay." In 1633, a ship of 60 tons was built at Medford; in 1636, one of 120 tons at Marblehead. In 1641 a ship of 300 tons was launched at Salem, and one of 160 tons at Boston. From this time shipbuilding rapidly extended in the northern colonies. The first printing in New England was executed by Stephen Day, on a press owned by the Rev. Mr. Glover, who had died on the voyage to Boston; the first article printed was the Freeman's oath, the second an almanac, the third an edition of the Psalms. John Eliot's Bible in the Indian language was printed at Cambridge, Mass., 1664.

The mode of traveling was on foot, or on horseback, there being no carriages, the only roads being merely narrow footpaths through the forests. The Indians had, however, cleared out the underbrush on the dry land by annual fires in November, and in so doing greatly injured the standing trees, except in swamps. The first newspaper in North America, "The Boston Weekly News Letter," was established in 1704. Before 1755, four more were established in New England, two in New York, two in Pennsylvania, one in S. C., and one in Md. By this time coarse cutlery, coarse linen and woolen cloths, furniture, farming tools, hats, shoes and paper were manufactured on a small scale, not sufficient for home supply.

The population for 1701 and for 1755 is thus estimated by Dr. Humphreys:

	1701.	1755.
Massachusetts	70,000	220,000
Connecticut	30,000	100,000
Rhode Island	10,000	35,000
New Hampshire	10,000	30,000
New York	30,000	100,000
The Jerseys	15,000	60,000
Pennsylvania	20,000	250,000

Maryland	25,000	85,000
Virginia	40,000	85,000
North Carolina	5,000	45,000
South Carolina	7,000	30,000
Georgia	.....	6,000
Total	262,000	1,046,000

History of the Mormon Church

By Brigham H. Roberts, Assistant Historian of the Church.

CHAPTER XCVIII

Camp Floyd Incidents—Determination to Arrest Brigham Young—Governor Cumming's Defense of the People of Utah—Two Notable Visitors—Horace Greeley and Captain Richard F. Burton—Their Books on Utah.

TWO incidents happened in the troublesome fall of 1859 that threatened for a time to bring on a conflict between the citizens of Utah and the army at Camp Floyd. One of these is known in Utah annals as the Spencer-Pike affair; the other was a plot to arrest Brigham Young in connection with a case of counterfeiting government drafts.

Briefly stated the Spencer affair was as follows: General Johnston had taken possession of Rush valley as a government reserve for pasture and hay-supply for government stock. Near the line of the reserve in the north part of Rush valley a stock company—Spencer-Little & Co.—owned a ranch; and on the 22nd of March young Howard Spencer, son of Orson Spencer, with one or two other men in the employ of the aforesaid company, was at the ranch to make the spring round up of the stock. Here they met a company of soldiers, and a dispute arose about the right of Spencer and his companions to stay at the ranch-house over night. Spencer declared his intention to remain at the house, since he was one of the owners of it. In the dispute the young officer in charge of the troops struck Spencer on the side of the head with his gun barrel, fracturing

the skull. Conflicting statements confuse the facts in the case. On the part of the officer it is said that he was seeking to remove Spencer from a government reserve, and that the latter assailed the officer with a pitchfork; on the other side it is insisted that the pitchfork was used by Spencer only in an attempt to ward off the blow which so nearly resulted in his death.

A surgeon from Camp Floyd skillfully adjusted the fracture and Spencer during the summer slowly recovered. Sargent Ralph Pike of company "I" 10th infantry, who committed the assault, was indicted by the grand jury for assault with intent to kill;" and in August came to Salt Lake City for trial in the district court then in session. While walking down main street with three companions from Camp Floyd—fellow officers—and when there was a large number of men on the street, including the soldiers of the guard that came from Camp Floyd with Pike, Howard Spencer approached the sargent, and asked if his name was Pike. Being answered in the affirmative, Spencer drew his pistol, shot him down, and walked away before the officer friends of Pike or the crowd sufficiently recovered from their amazement to attempt the arrest of the assailant; and though about forty went in pursuit of Spencer he made good his escape. Pike's wound was mortal, and three or four days later he died.[1]

The killing was a most unhappy circumstance, an unjustifiable crime; but reviewed in the spirit which unfortunately prevailed in the West at that time, and accepting the view that Pike's attack upon Spencer in March was unprovoked, as many did, it is not matter of surprise that there were those in the community who justified the deed and even lauded the cool bravery of a mere lad who avenged the wrong that had been so dastardly committed upon him over so small a matter.

"We do not approve of the act," said the *Deseret News*, editorially. "In our opinion it is far better at all times, under ordinary circumstances, to let the law take its course, than for the injured to avenge their own wrongs by whom soever committed."[2]

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1. *Deseret News* of March 30th; also *Id.* Aug. 17th, 1859.
2. *Deseret News,* Editorial of Aug. 17, 1859. There was much division of feeling in relation to the incident. Gen. Johnston, no doubt taking sargeant Pike's

Very naturally the killing of Sargent Pike created great excitement at Camp Floyd. On the night following Pike's death a party of about a score of soldiers left Camp Floyd and went to the Mormon settlement of Cedar Fort, six miles north of the camp, and set on fire a stack of hay, and when several citizens undertook to put it out they were fired upon by the soldiers, who then "shot up the town" indiscriminately. In all about sixty shots were fired, the hay stack with stock sheds and corrals adjacent were burned to the ground but fortunately no one was hurt. The next day when this matter was reported to Gen. Johnston, by a committee of citizens, he replied that he would send a guard to protect Cedar Fort, but declared "that he could not control the soldiers while Spencer was at large."[3] Nothing further came of the matter. The most unfortunate thing about the whole incident is that such a case of homicide for personal vengeance has to be recorded as happening in the streets of Salt Lake City.

The facts in the counterfeiting case referred to above, in which it was sought to involve President Young, are as follows: a party of men in camp Floyd, prominent among whom were M. Brewer, and J. M. Wallace, conspired to counterfeit U. S. quartermaster orders on St. Louis and New York. In pursuance of this purpose they employed a young Mormon engraver of Salt Lake City to duplicate the quartermaster's plate at Camp Floyd. This was skilfully accomplished and the counterfeit bills printed upon it. The forgery was soon discovered and the principal in the crime, Brewer, arrested at Camp Floyd. He promptly turned state evidence by confessing and threw responsibility for the crime upon the young Mormon engraver; and implicated a

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representation of the matter, wrote Gov. Cumming that Spencer had "resisted an officer in the discharge of his duty with a pitchfork, and the officer broke his head in self defense." The General denied having given Spencer permission to occupy the premises at the Spencer Ranch, "although Spencer," says the chronicle here followed, "holds Johnston's letter giving that permission." Hist. of Brigham Young, *Ms.*, entry for March 30th, 1859, pp. 293-4.

3. The above was reported to President Young by letter from Bishop Weeks of Cedar Fort, see Hist. of Brigham Young, *Ms.*, entry for 16th Aug., 1859, pp. 633-4. "The officers [of Camp Floyd] assert that they could hardly prevent their men from rising and personally revenging the foul murder of a comrade." Captain Burton's "City of the Saints," p. 341. (In a note he gives the account of the assault upon Cedar Fort where he states that the damage finally claimed from Congress for destruction of property amounted to $10,000).

person in Brigham Young's office for having furnished the paper for the counterfeit notes. The engraver's tools and engraving paraphernalia were all seized by Mr. Dotson, the U. S. marshal, and the young engraver was arrested. Afterwards, when visiting the engraver's regular work-shop, where he had done work for Brigham Young on the "Deseret Currency plates," these plates were also seized by Mr. Dotson and carried to Camp Floyd.

The confession and allegations of Brewer seemed to bring this crime so close to the premises at least of President Young that it was hoped at Camp Floyd that he could be implicated in it. One officer when he heard Brewer's confession, jumped up and down like one bereft of his senses, saying "By G——! we will make this stick on Brigham Young this time."[4]

In pursuance of this purpose to make the crime "stick" on Brigham Young, a plan for his arrest was arranged, to which it was hoped Governor Cumming would give his assent. It was to be another case where Herod and Pilate—Alias Gov. Cumming, of the one party, and the army and the U. S. judiciary of the other—would be made friends by the sacrifice of the innocent. The plan was to issue a writ for the arrest of Brigham Young as well as the young Mormon engraver, and apprehending that there would be resistance to the arrest of the former the army was to be ordered into Salt Lake City; Johnston's artillery was to make a breach in the wall surrounding the Ex-Governor's premises, then the troops would sally forth, seize Brigham Young by force and hurry him to Camp Floyd. And this plan was gravely set forth in detail to Governor Cumming. Several days before engineers of the army had been seen suspiciously moving about the heights overlooking the residence of President Young. They were selecting strategic points on which to plant their cannon.[4½] "I listened to them, sir," said Governor Cumming, when relating the circumstance to Stenhouse—

"I listened to them, sir, as gravely as I could, and examined

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4. The officer was Col. Crossman, see Letter of Wilford Woodruff to Geo. A. Smith, date of July 12th, 1859. Copied in Hist. of Brigham Young, *Ms.* p. 581.

4½. See note 1 end of Chapter where this statement is made by Gen. Wells to Governor Cumming.

their papers. They rubbed their hands and were jubilant; they 'had got the dead wood on Brigham Young'. I was indignant, sir, and told them, 'By G—d, gentlemen, you can't do it! When you have a right to take Brigham Young, gentlemen, you shall have him without creeping through walls. You shall enter by his door with heads erect as becomes representatives of your government. But till that time, gentlemen, you can't touch Brigham Young while I live, by G—d!'"[5]

The coterie of plotters for the apprehension of Brigham Young on this, so groundless a charge, returned to camp Floyd crestfallen; and in the bitterness of their disappointment there were mutterings that the army would act without the co-operation of the Territorial executive. It must be remembered that this incident happened at a time when Gen. Johnston was interpreting his instructions in such a manner that would lead him to use the army on the requisition of the judiciary as well as upon the requisition of the executive; and his judgment as yet, on that point, had not been corrected by the national administration. So that the danger of his ordering out the army to make the threatened arrest was a real one. Word indeed was brought from Camp Floyd on the night of 17th of April by an express rider from Camp Floyd that two regiments would be ordered that night on a forced march to Salt Lake City to make arrests. Whereupon Governor Cumming, it is said, gave orders to General D. H. Wells of the Utah militia, to be ready with a force to repulse the Federal troops. And this General Wells so promptly responded to that *"by two o'clock on Monday morning, five thousand men were under arms."*[6] Will it be said that the com-

5. "Such was the story told by Governor Cumming to the author a few years later," writes Stenhouse, "and as he related it all the fire of his nature was depicted on his countenance, and told unmistakably that he would have made good every word with his life." ("Rocky Mountain Saints," p. 411).

6. See statement of Utah correspondent—undoubtedly a Mormon—to the New York *Herald*, under date of 23rd April, 1859: "An express from Camp Floyd arrived here on Sunday night with the intelligence that two regiment were coming to the city to make arrests, and it was expected that they would have orders for forced marches, to come in upon us unawares. Immediately on Governor Cumming being made acquainted with the report and circumstances, which leave no room to doubt of the plans of the judges, he notified General D. H. Wells to hold the militia in readiness to act on orders. *By two o'clock on Monday morning five thousand men were under arms.* Had the United States' troops attempted to enter the city, the struggle must have commenced, for the Governor is determined to carry out his instructions. What has deferred their arrival here we know not; but now that this plan is known, a watchful eye is kept on the camp, and the shedding of blood seems inevitable. We have confidence in the overruling care of our heavenly Father; and whatever does take place, will eventually turn out for

munity had lived in a state of preparedness to meet such an emergency? Undoubtedly; and they would have been either dullards or cowards, or both, had it been otherwise under the circumstances—with the likelihood of an assault upon their liberties always imminent.

A group of men were stationed at the point of a mountain thirty miles south of Salt Lake which over looked the Jordan Ford and the road leading over the low hills to Camp Floyd. They were to keep day and night watch for the movement of any detachment of troops towards Salt Lake City. If the movement was made in the day time, a signal smoke from the point of the mountain, was to announce the fact; if at night, a bonfire from the same point of mountain would announce it. A group of watchers stationed on Ensign Peak was to respond to these signals and give the alarm to the city, where companies of militia were within easy call.

It was a brave stand that Governor Cumming took in this issue, but in it he was loyally sustained by the Latter-day Saint community, who asked only for the establishment of the regular order of things as promised in the settlement of their difficulties with the federal administration through the mediation of Col. Kane, the Peace Commissioners, Powell and McCulloch, and as assured by President Buchanan in his Proclamation of Pardon, and reaffirmed in the proclamation of Governor Cumming.

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good. Major ——— told me yesterday that General Johnston was resolved to carry out his orders, and he affirms that they are to use the military on the requisition of the judges, and not on the requisition of the Governor only. I have just learned that 500 soldiers were on the march to Sanpete settlements to arrest persons there whom the judges are seeking after. The judicial-military-inquisitorial farce played at Provo satisfies everybody that it is not violated justice that seeks satiety in blood. There is not an official in any settlement outside this city but what expects to be handled as were those at Provo; and the only safety they have from judicial vengeance—not personal, but vengeance against the community—is in flight to the mountains. In the south, where the weather has been excellent for early agricultural operations this spring, the fields have been left uncultivated, and the seed that should be fructifying in the soil is still lying in the barn, the end of which must be famine; for unless the Governor has power to restrain the judges from calling the military to act as a *posse comitatus,* no man of any influence will trust himself at home. We fear no judge of the United States. . . . Governor Cumming has no disposition, nor has this community any, to screen any man or men from the punishment due for any crime or misdemeanor they may be accused of; but he will not suffer military terrorism to reign in the Territory over which he is Governor, and we are to a man ready to sustain him. We appeal to the American nation, and ask any man whose soul is not absorbed with the acquisition of perishable pelf only, what can we do more than we have done to preserve peace? and what course is open to us but to defend our rights as citizens of the Union?" (The N. Y. *Herald* of May 25th, 1859).

Happily the instructions came soon afterwards from Washington which corrected the error of Johnston and the judges respecting the employment of the army in the civil affairs of the territory,[8] and peace once more was restored to the community life of the Saints.

The young Mormon engraver of the foregoing incident was put on trial, found guilty, and sentenced to prison for two years. His was but a subordinate part in the crime; and it may be of passing interest to the reader to know that he fought his way out of the shadows of this unhappy incident of his early career, and lived a long and useful life, trusted in positions of great responsibility, a general favorite in a large social circle, honored in public life, and respected in the community as an honorable man and a sincere and active Christian gentleman.

Marshal Dotson in taking forceful possession of the "Currency" plates belonging to Brigham Young exceeded his duties as an officer; while in his charge they were marred to the point of ruining them. In this condition the Marshal sought to return them to their owner, but President Young refused to receive them, and brought suit against Marshal Dotson for the illegal seizure and injury of the Currency plates. After a long and tedious trial President Young obtained judgment of damages to the extent of $2,600, which property in Salt Lake City was sold to satisfy. It was this circumstance which finally led to Marshal Dotson's resignation and removal from Utah.[8½]

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7. Governor Cumming did not announce his final attitude with reference to the army, pending the arrival of the decision of the federal administration on the points raised, without some vigorous urging by the Church leaders; in proof of which I give in large part, as *note* 1, at the end of this Chapter, a notable interview between Brigham Young *et al* with Governor Cumming. It has not before been published, and is important as showing the brave and patriotic spirit in which these heroic men, the Church leaders, fought back those who were bent upon the invasion of their liberties and rights as American citizens. See note I end of Chapter.

8. "This pompous parading of soldiers around the Territory, recalls ones mind to youthful visions and dreams of theatrical representations of royal cavalcades, fairy tales, and the processional manners and customs of oriental princes; and appears more in harmony with such scenes, than with the sober *ravellings* of an American judiciary in the latter half of the nineteenth century." (Letter of John Jaques, Ass. Church Historian to Stenhouse, date of April 22nd, 1849, copied into Hist. of Brigham Young, *Ms.*, of above date, pp. 370-1).

8½. Peter K. Dotson was a native of Virginia, who came to Utah in 1851, where he became an express and mail agent. In 1855 he was appointed U. S. Marshal for Utah, and in 1857 proceeded to Washington, returning with the army that same year. (See Bancroft's Utah, p. 573—*note* where he quotes "Dotson's Doings," *Ms.*, for above facts of the Marshal's life). Dotson sent in his resignation on the 1st of August, taking occasion to tell the administration that its policy

Sometime after the foregoing events Judge Eckels sought to revive the controversy between the administration at Washington and the people of Utah. The Judge had returned from his "vacation" in the east in mid June, and opened his court two months later in the southern district, at Nephi. After a session which ran to the 4th of September, the court adjourned to sit at Camp Floyd for three days, beginning on the 13th of September, for the purpose of naturalizing citizens, after which the court would adjourn *sine die*.[9] After the adjournment the Judge addressed a long communication to the Secretary of State, Lewis Cass, in which he reiterated practically all the old charges against the Latter-day Saints of Utah. The state department sent the essential parts of Judge Eckels' communication to Governor Cumming,[10] with instructions from the President to furnish the state department at the earliest practical moment "with an official report upon the present condition of the Territory, stating the causes, if any, which operate to retard the due administration of the laws, and to prevent the maintenance of peace and order;" by what means, in his judgment, "those causes can be most promptly and advantageously removed; to what extent any troubles that may now exist have been produced by a failure of the territorial legislature to provide suitable measures for their prevention, and how far they are owing to an unwillingness on the part of the people of the Territory to aid in the execution of the laws."[11] This discloses some of the specifications in Judge Eckels' communication. Governor Cumming was also requested to embody in his report the most reliable statistical information in his possession upon the following points: the present number of inhabitants in Utah and the proportion of Mormons amongst them; the number of persons arriving in the Territory and departing from it; the capacity of its available lands to sustain the present or a larger population.[12]

towards Utah would be fatal to federal supremacy in the Territory; "and can only tend to build up, consolidate, and perpetuate the political and ecclesiastical power of Brigham Young and his successor." The resignation is published in full in *Deseret News* of Nov. 9th, 1859, p. 285.

9. *Deseret News*, of Sept. 14, 1859.

10. House Ex. Doc. 36th Cong., 1st Sess., No. 78, pp. 33-40.

11. Ibid. Letter of Sec. Cass to Gov. Cumming, date of Dec. 3, 1859.

12. Judge Eckles had said in his communication to Secretary Cass: "I have long been satisfied that the population of the Territory already exceeds its capacity

The reply to these inquiries afforded Governor Cumming an opportunity to vindicate both his own administration and the character of the Latter-day Saints of Utah from the base fulminations of Judge Eckels, and of the false charges made in the address formulated at Camp Floyd in July.

Referring to the general character of the people of Utah, the Governor said:

"Persons unbiased by prejudice who have visited this Territory will, I think, agree in the opinion that a community is seldom seen more marked by quiet and peaceable diligence than that of the Mormons.

"After the passage of the army, hundreds of adventurers were attracted to these valleys, and met here some congenial spirits. Banded together for rapine and acts of violence, they have stolen large herds of horses and mules. Many of these men, maddened by intemperance, or rendered desperate by losses at the gaming table, or by various other causes, have shed each other's blood in frequent conflicts, and secret assassinations. These lawless and bloody deeds are committed by them almost daily with impunity, and when their atrocity and frequency shock the public mind, it has become the custom with a certain set of people to exclaim against the people of Utah; but it is an injustice to impute the acts of these desperadoes to the community in general. With an equal show of justice might they be attributed to the inhabitants of the States and Territories whence these men have so recently emigrated."

Relative to the "causes which operate to retard the due administration of the law, and to prevent the maintenance of peace and order in the Territory," the Governor said they consisted in—

"First. The infrequency of and distance between the sessions of the United States courts. These sessions, by law, are held annually. The maintenance of prisoners and witnesses during the interval between the sessions, which interval is often longer than the time indicated by law, must, under existing circumstances, subject the Territory to a very great expense.

"Second. The United States marshal has declined making arrests of offenders against territorial laws, because, as he asserts, the legislature have not made such provisions for the payment of necessary expenses of arrest and maintenance of pris-

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to produce the necessary support of the people. . . . The lands under cultivation are already on the decline, and very little is capable of being added to its quantity"—hence the above question.

oners as are by him deemed necessary, and he has had no assurances that the United States will defray such expenses.

"In answer to the above assertion of the marshal, I would here refer to a pamphlet, which I send, entitled "Acts and Resolutions of the Legislative Assembly of Utah for 1858 and 1859." For jury fees, see page 8, chapter 3, section 18. For general fee bill of Utah Territory, see page 11, chapter 9, section 1. For contingent fund for the use of territorial marshal or sheriff, see page 13, chapter 9, section 3.

"In all cases of appeal costs must be paid or secured by the appellant,—(See "Revised Laws of Utah," a copy of which I send, page 136, chapter 3, section 25.)

"Witnesses' fees in criminal cases are paid by the county court; in civil cases, by the parties.—(See "Revised Laws," page—, chapter—, section—.)

"The fees in this Territory, as will be perceived, are not sufficiently large to encourage litigation, and there is an evident dislike on the part of the community to resort to courts, preferring arbitration to appeals to juries.

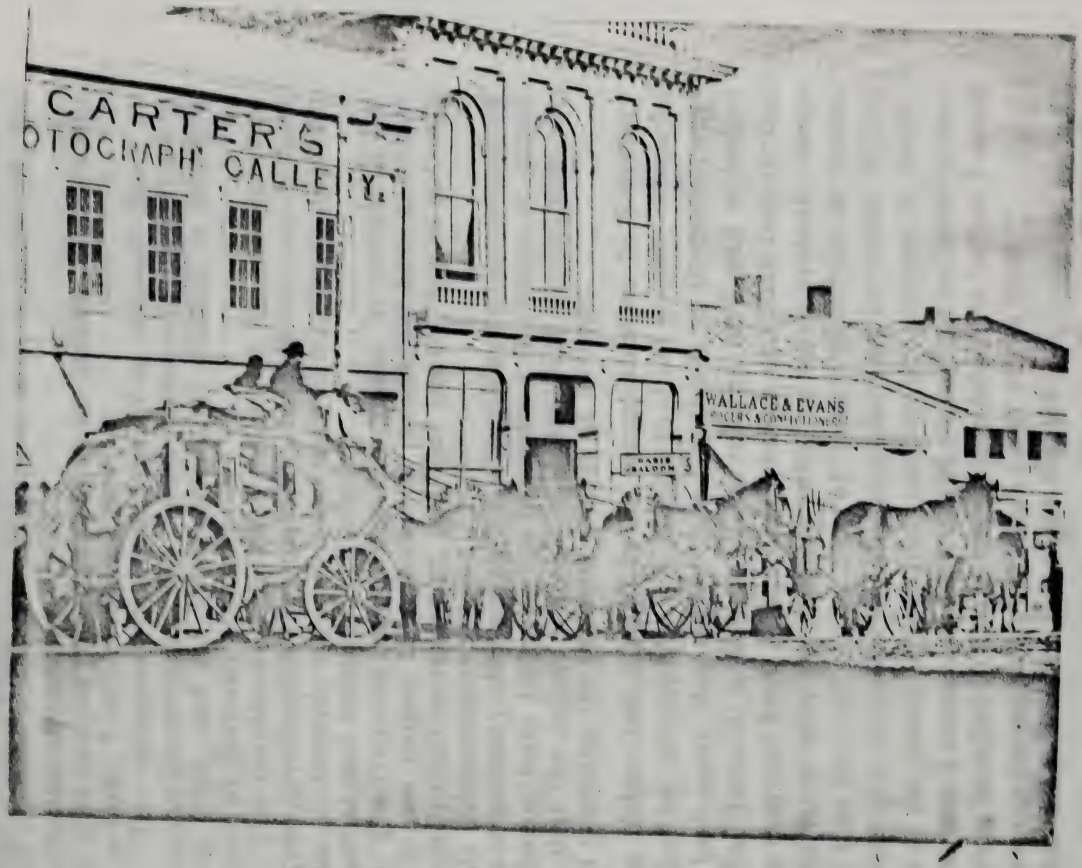
"Third. Continued immunity from punishment has so emboldened certain bands of lawless and desperate men that they have been enabled to hold in a state of intimidation both civil officers and witnesses.

"Fourth. The refusal of the Judges of the United States courts to recognize the authority of the territorial marshal in the United States district courts. The authority of this marshal is conferred on him in accordance with section 3, chapter 7, page 140, of "Revised Laws of Utah."

"Fifth. The refusal of the Judges of the United States district courts to recognize the authority of the probate courts in their respective counties "to exercise original jurisdiction, both civil and criminal, in chancery as well as at common law." The probate courts base their claim to exercise this jurisdiction upon the act contained in page 124, chapter 1, section 29, of "Revised Laws of Utah."

"The inhabitants of the Territory of Utah urge, in defense of the claim of the probate court to the exercise of the powers above recited, the following passage: "The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts and of justices of the peace, shall be as limited by law."—(See "Statues at Large," Vol. 9, page 455, chapter 51, section 9, organic act, entitled "An act to establish a territorial government for Utah," approved 1850.)

"Sixth. Another and perhaps one of the strongest reasons which prevents the administration of law in Utah is a convic-



The Portland Stage Coach

tion generally held by the people of this Territory that the minds of the United States Judges are so blinded by prejudice against them that Mormons can harly expect a fair and impartial decision in any case where they are concerned. Many even believe that there is a strong desire on the part of the United States judges to convict a prisoner of crime if that prisoner be a Mormon, and especially if he should happen to be a person of importance in the community.

"They give several plausible reasons for holding this opinion. Among several, I will mention these:

"1st. The unnecessary assemblage of a military force at Provo during the session of the United States court at that place in March, 1859, and the imprisonment of citizens in military guard-tents at that and other times.

"2d. The residence of the chief justice at the headquarters of the army, evidencing, they maintain, both dislike and distrust of the people towards whom it is the duty of a judge to maintain an impartial and unbaised attitude.

"3d. The frequent expressions of opinions by several of the United States judges, that the entire community have forfeited their right to self-government, and that martial law is not only desirable but necessary.

"The community also complains of vexatious adjournments of court during term time; of the precipitate discharge of grand jurors, that the judges may sit as committing magistrates, instead of pursuing the ordinary course of business."

Judge Eckles had alleged in his communication to Secretary Cass, that on his approach to Nephi, in Juab county, where he was to hold court, that more "than two-thirds of the male population fled from it, including all the officers, civil and ecclesiastical, as they did from Judge Cradlebaugh at Provo last spring, although there were no 'soldiers' with me for a pretext. Some alleged that they did so for fear of being summoned on juries, and others that they feared being apprehended for crime. Which version of the matter is true, it is not now my purpose to decide. It is the fact I state; and their flight caused me to have to send the deputy marshal to Cedar county for talesman before I could complete my juries, and by it I lost a day of the term."

To this allegation the Governor replied:

"Now it has been publicly asserted, without contradiction that I know of, in the 'Deseret News, September 7, 1859,' that the judge, in addition to the marshal and bailiffs, was accompanied

by fifteen grand jurors and ten petit jurors, all from Cedar county. In Cedar county is Camp Floyd and Frogtown, which adjoins the camp. At Camp Floyd Judge Eckles resides; at Frogtown is a large proportion of the itinerant population, dependent on the army for support. But the Judge could, doubtless, explain this circumstance quite as well as the sending for talesmen to the same county, when he was in the immediate vicinity of Utah county, one of the most populous, whilst Cedar county is the least so of any organized in the Territory, after deducting the army, its employes, and dependents. But, unexplained, it does seem remarkable:"[13]

Relative to the population of the Territory Governor Cumming estimated it at from 50,000 to 53,000; "of which number at least 50,000 are Mormons." This of course did not include the army at Camp Floyd. The bulk of the non-Mormon population resided on the extreme west side of the Territory, afterwards Nevada. The Governor admitted that the Mormon estimation of the population was much larger than his own. He had no data on which to form an estimate of persons who annually arrived or departed from the Territory; but he inclosed a statement from John T. Caine, who at the time, Feb. 1st, 1860, was secretary of the "Perpetual Emigration Fund Society," relative to the number of persons emigrated by that Society—furnished at the Governor's request—from the time of its inaugeration up to and including 1859.

"In the year 1850 there were emigrated by the Perpetual Emigrating Fund company, 432 persons; in the year 1852, 298 persons; in the year 1853, 400 persons; in the year 1856, 1,273 persons; in the year 1857, 1 person; in the year 1858, (Owing to Utah difficulties,) none; and in the year 1859, 54 persons; making a total of 4,769 persons, at a cost of about three hundred thousand dollars. Your excellency will please notice that this forms but a small portion of the yearly "Mormon immigration," no record of which, so far as I am acquainted, has ever been [kept], nor could there be, as persons emigrating on their own means have come and gone at pleasure."[14]

Among the interesting incidents of this period was a threatened uprising of the Indians in the Territory, chiefly of the tribes in the South, the Utes, Pahvants, and Piedes. Superintendent

13. House Ex. Doc., 36th Cong., 1st Sess., No. 78, pp. 41-46.
14. Ibid, p. 46.

Forney who was sometimes loud in his complaints of the policy of his predecessor, Brigham Young; big in his promises to the Indians, but lax in carrying them out, lost prestige with some of the southern chiefs who were not backward in giving manifestations of their displeasure.[14½] In October, 1858, Jeremiah Hatch, Indian Farmer for the tribes in San Pete county, reported that the Indians in San Pete county had driven off all the stock from the Indian farm; Chief Arapeen, brother of and successor in leadership to Walker, had been among the Navajoes, who had promised to join him in his proposed war against the "Americats." This chief was gathering the Indian tribes at Fish Lake, about sixty miles south of Manti; he had opened communication with the Snakes, Shoshones, and Bannocks in the north, who were also ready to join him—"sixteen nations in all." "And if," reported Hatch, as being the view of Arapeen—"if the Mormons will join them, seventeen nations can wipe out the Americans. Arapeen is determined on war unless Brigham says no; and he will obey him. If the Mormons will not fight now they will pretty soon, for the Americans told them that as soon as snow covers the mountains the blood of the Mormon captains will flow."[15] President Young wrote the chief that there must be no war on the Americans.

14½. See Forney's first Report to the Commissioner of Indian Affairs at Washington, under date of Sept. 6th, 1858. House Ex. Doc., 2d Sess., 35th Cong., No. 78, pp. 561-65. "Dr. Forney * * * has no influence over the Indians, and has succeeded by his Picayunery to bring himself into supreme contempt among them, by promising them a great deal, and doing but little; and if his reports to the government show a very great expenditure, it must be for traveling fees, graybills, pickings, etc., as very little has been actually furnished to the Indians. (Hist. of Brigham Young Ms., entry for Jan., 1859, p. 73). Both Indian Agent Hurt and Dr. Forney were dismissed from the service finally, the former at the instance of Dr. Forney. Forney himself was charged by Judge Cradlebaugh with returning false vouchers which led to an investigation that ran through many months, involving several trips back and forth of both the doctor and government agents between Salt Lake City and Washington. The faults of Forney's administration seem to have arisen from loose and careless methods of business. See Hist. of Brigham Young *Ms.*, entry 7th of May, 1860; also *Deseret News*, 1860 *passim*, but especially the conclusion of the matter in impression of Nov. 14th, 1860.

15. Hist. of Brigham Young, *Ms.* entry for Oct., 1858, pp. 1056-7. Hatch also reported Arapeen as saying that Dr. Forney, the new superintendent had "a little heart, and it is as dark as night." President Young had a big heart, and it is white and clean as the sun." (Id.). Arapeen also complained of the interpreters Forney employed, and asked why he did not use interpreters that the Indians knew and could feel at home with. The chief told Forney that "his talk was like bawling, it would go in one ear and out at the other; but Brigham's went into his ear and sank into his heart, and stopped there. This enraged the Doctor." Id., p. 1209.

Bishop Warren Snow reporting by letter to President Young, in December, represented Arapeen as saying that he was willing to obey Brigham's counsel,—which was *"let the soldiers alone"* —but he could not understand why Brigham should give him such counsel; he would have pitched into them if he had not received a letter from Brigham telling him not to. Many of his Indians were "mad" at him because he would not let them go and kill the Americans.[16]

This threatened uprising resulted in the Indian farm going to wreck, the grain was wasted, the citizens had to herd and corrall their stock to prevent the Indians from stealing it, and the Indians had to be fed by the citizens.[17] In October two citizens, Josiah Call and Samuel Brown, were killed by the Indians. This on Chicken Creek, about twenty miles south of Nephi. Arapeen reported to Bishop Snow that a party of six Indians had attacked the brethren, believing they were Americans;[18] but Indian Farmer Hatch, who knew the Indians that did the killing—Tamock, son of the Chief Uinta, being the leader, and "a bad Indian"—thinks they knew that Call and Brown were "Mormons."[19] The two men fought their assailants bravely, and succeeded in killing Tamock.

The period under consideration witnessed the birth of two weekly periodicals in Utah, the *Valley Tan* and the *Mountaineer*. The former was a bitter anti-Mormon sheet, circulating chiefly at Camp Floyd. Its first number came from the press November 6th, 1858. The leading article was copied from the *National Intelligence,* against polygamy in Utah. The *Valley Tan*[20] was edited by Kirk Anderson, formerly of the *Missouri Republican,* who arrived at Salt Lake City in September, 1858. "Some hinted that President Buchanan had a hand in sending him here"—i. e. to Utah.[21]

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16. Hist. of Brigham Young, *Ms.* entries for Dec., 1858, pp. 1176-7.
17. Ibid, p. 1177.
18. Hist. Brigham Young, *Ms.* Dec., 1858, pp. 1176-7.
19. Ibid p. 1057.
20. "Valley Tan," among the first Utah manufactured products, was a local tanned leather that was called "valley tan," to distinguish it from the imported article. The phrase became a colloquial descriptive name for very nearly every other article as well as leather manufactured in the Territory, especially for a wretched sort of whiskey made in the Territory.
21. Hist. of Brigham Young, *Ms.* entries for September, 1858, p. 956.

It finally developed, through statements by Governor Cumming, that Secretary Hartnett was the principle owner of the *Valley Tan,* and he soon became aware of the fact that its non-Mormon patronage was not sufficient to sustain it; and sought Mormon patronage. In conversation with D. H. Wells upon this subject, that gentleman told the Secretary, "that if the *Valley Tan* would sustain Governor Cumming in his course, it would be approved here [i. e. Utah] and by the government at Washington." "Wells said: 'You know Mr. Hartnett, it is the wish of the Administration that the difficulty that has existed should remain settled; that is also our wish. We are not afraid of a collision if it should come; we are just as ready for it as you are, but we should like matters to pass off quietly, as they should do, and as the Administration desires they should do.' Hartnett acknowledged this was true, and said he intended to do it."

This conversation incidentally disclosed the character of the periodical in question. "Wells said the *Valley Tan* charges the people of this Territory with being murderers, of being guilty of the highest crimes known to the government, and with every thing disgraceful. Hartnett said he did not approve of the course the paper had taken; but that some of the officers of the army had sent word to the editor, that if he did not pitch in like hell, they would not patronize him."[22]

The *Valley Tan* was short lived, dying in the winter of 1860, after an existence of about eighteen months.[23]

The Mountaineer was published by a group of Salt Lake lawyers, Seth M. Blair, James Ferguson, and Hosea Stout.[24] Its first number appeared on the 27th of August 1859. It was a vigorous opponent of the *regime* inaugurated by the federal judges. It was intended to be a strictly secular periodical,

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22. Hist. Brigham Young, *Ms.* entries for January, 1859, pp. 86-7. The paper was published in Theodore Johnston's building, just south of the Historian's office, on South Temple street; one thousand was the edition, the price $8.00 per year. Hist. Brigham Young, October, 1858, p.1061.

23. It "expired," says Captain Burton, "after a slow and lingering dysthesis, induced by over indulgence in Gentile tendencies. It was established in 1858; the proprietor was Mr. Hartnett, the late federal secretary; the Editor was Mr. Kirk Anderson, followed by Mr. De Wolf and others." ("City of the Saints," p. 255).

24. Hist. of Brigham Young, *Ms.*, entries for Aug., 1859, p. 645.

standing for the rights of the people, and announcing that the day "had gone by when lying scoundrels can palm off their rascality upon the citizens of Utah."[25]

Its motto was: *"Do what is right, let the consequence follow."* It took a brave and vigorous stand on this platform, but did not endure long, the sparse population of the Territory not being equal to supporting two papers, and the *Deseret News,* already long in the field, was meeting practically all the needs of the people.[26]

Two notable gentlemen visited Utah, about this time, Mr. Horace Greeley and Captain Richard F. Burton. The former the founder and editor of the New York *Tribune,* a noted anti-slavery leader, and then—1859—at the heigth of his power and popularity. The latter was an officer of the British army, but a gentleman who had traveled extensively, the author of a number of books, among them "The Lake Regions of Central Africa."

Mr. Greeley arrived in Salt Lake City on the 10th of July 1859. On the 13th he had a two hours interview with Brigham young, chiefly upon Mormonism. The Editor's questions covered a great variety of subjects from infant baptism to belief in a personal devil and plurality of wives, but failed to reach the really fundamental things of the New Dispensation of the Christion religion. The substance of his questions and the answers to them he gives in his "Overland Journey from New York to San Francisco," published a year later.[27]

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25. Ibid 662, 671, *et seq.*
26. See "Burton's City of the Saints," pp. 255-7.
27. Chapter XXI. Of merely surface things he came in contact with, Mr. Greeley gives an interesting account, among them a pen picture of Brigham Young that is worthy a place here: "As President Young is the first minister of the Mormon church, and bore the principal part in the conversation, I have reported his answers alone to my questions and observations. The others appeared uniformly to defer to his views, and to acquiesce fully in his responses and explanations. He spoke readily, not always with grammatical accuracy, but with no appearance of hesitation or reserve, and with no apparent desire to conceal anything; nor did he repel any of my questions as impertinent. He was very plainly dressed in thin, summer clothing, and with no air of sanctimony or fanaticism. In appearance, he is a portly, frank, good-natured, rather thick-set man of fifty-five, seeming to enjoy life, and to be in no particular hurry to get to heaven. His associates are plain men, evidently born and reared to a life of labor, and looking as little like crafty hypocrites or swindlers as any body of men I ever met. The absence of cant or snuffle from their manner was marked and general; yet, I think I may fairly say, that their Mormonism has not impoverished them—that they were generally poor men when they embraced it, and are now in very comfortable circumstances." (*Id.* p. 216).

Mr. Greeley also attended the Tabernacle service where he listened to Mormon discourses on the one Sunday—17th of July—which he spent in Salt Lake City; one delivered by Orson Pratt in the morning, and the other by Elder John Taylor in the afternoon. The sermons he though "adapted to tastes or needs different" from his own. The prayers were "pertinent and full of unction;" the music rather better than is to be heard "in an average worshiping assemblage in the states." The extemporaneous method of speaking followed in the Tabernacle he censured severely.[28] Mr. Greeley also came in contact somewhat with the people in their homes and and in social gatherings, so that he felt quite competent at the end of his ten days sojourn in Salt Lake City, after the fashion of men of his profession, to write to the New York *Tribune* quite dogmatically on all things pertaining to the religion of the Latter-day Saints, social life in Utah, polygamy, etc. Seriously, of course, what he wrote could be no thorough analysis of Mormonisms, but merely passing impression after a cursory survey of surface topics. But however disappointing Mr. Greeley's chapters on Mormonism may be, he evidently intended no injustice, and placed upon record concerning the people and conditions in Utah some passages

28. Mr. Greeley professed to believe that every preacher should be a worker; and he liked "to see one mowing or pitching hay in his shirt-sleeves," and could hear "with edification, an unlettered but devout evangelist" who worked part of the week for the subsistence of his family and devoted the rest of it to preaching the gospel to small school-house or wayside gatherings of hearers." Let him only be sure to talk good sense," said the great editor of the *Tribune,* "and I will excuse some bad grammar." Then the censure:

"But when a preacher is to address a congregation of one to three thousand persons, like that which assembles twice each Sabbath in the Salt Lake City Tabernacle, I insist that a due regard for the economy of time requires that he should prepare himself, by study and reflection, if not by writing, to speak directly to the point. This mortal life is too short and precious to be wasted in listening to rambling, loose-jointed harangues, or even to those which severally consume an hour in the utterance, when they might be boiled down and clarified until they were brought within the compass of half an hour each. A thousand half-hours, Reverend Sir! have you ever pondered their value? Suppose your time to be worth ten times that of an average hearer; still, to take an extra half-hour from a thousand hearers in order to save yourself ten or fifteen hours' labor in the due and careful preparation of a sermon, is a scandalous waste, which I see not how to justify. Be entreated to repent and amend!" (Overland Journey, p. 220). It will go without saying that whether merited in this particular instance or not—I find only a brief synopsis of the two discourses in the *Deseret News,*—Mr. Greeley points out a common defect of the extemporaneous discourse—diffusiveness. Orson Pratt's theme was the Book of Mormon, as the history of America; Elder John Taylor's Communism as attempted by Owen in England, Fourier in France, and Cabet in Nauvoo, in contrast with Mormon achievements under its spirit of brotherhood. (*Deseret News* of July 20th).

that are valuable as the report of a brief sojourner among the Saints, who was a keen observer, and a man of unusual intelligence, and one who intended to be fair.[29]

Mr. Greeley also visited Camp Floyd, where about three thousand troops were stationed at the time, with some small detachments engaged in surveying or opening roads, guarding herds, etc., in different parts of the Territory. He gives a brief historical sketch of how the army came to be located in Utah; and its utter uselessness in Utah at the time of his visit. The climax of Mr. Greeley's historical sketch is:

"News came that the whole affair [i. e. Utah difficulties] had been some how arranged—that Colonel Kane, Brigham Young and Governor Cumming had fixed matters so that there would be no more fighting. . . . They [the army] were some how required to encamp as far from the Mormon settlements as possible; and they have ever since been treated by the federal executive as though they had volunteered to come here in defiance of, rather than in obedience to, that executive's orders."[30]

Mr. Greeley, it will be remembered, arrived in Utah shortly after the administration at Washington had subordinated the military to the civil authority in the Territory: "Very general, then, is the inquiry in the army," he remarks, "Why were we sent here? and why are we kept here? What good can our remaining do? What mischief can it prevent? A fettered, suspected, watched, distrusted army—an army which must do nothing—must not even be asked to do anything in any probable contingency—what purpose does it subserve beyond enriching contractors and Mormon magnets at its own cost and that of the federal treasury?"[31] And then he proceeds to give such criticism of army contract management that, to say the least of it, is not flattering to the administration at Washington.[32]

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29. See note 2 end of Chapter, for Mr. Greeley's views on Mormonism, Mormons, and Utah.

30. Overland Journey, p. 249.

31. Overland journey, p. 252.

32. Following are several instances Mr. Greeley gives of contract manipulation: "A suspicion that the army is kept here to answer private pecuniary ends is widely entertained. It is known that vast sums have been made out of its transportation by favored contractors. Take a single instance already quite notorious; twenty-two cents per pound is paid for the transportation of all provisions, munitions, etc., from Leavenworth to this point. The great contractors were allowed this for transporting this year's supply of flour. By a little dexterous management at

Captain Burton arrived in Salt Lake City on the 24th of August, 1860; and remained there and at Camp Floyd until the 20th of September—one month. The importance of his visit to Utah arises from the book he published of his journey "Across the Rocky Mountains to California," to which he gave the title, "*The City of the Saints,*" as was indeed proper since an account of Mormon life in Utah, and the religion of the Latter-day Saints occupies eight of its thirteen chapters, besides several appendices, covering nearly fifty additional pages,[33] that make up the volume of nearly six hundred pages.

Washington, they were next allowed to furnish the flour here—Utah flour—being paid their twenty-two cents per pound for transportation, in addition to the prime cost on the Missouri. As Utah has a better soil for growing wheat than almost anything else, they had no difficulty in sub-letting this contract at seven cents per pound net, making a clear profit of one hundred and seventy thousand dollars on the contract, without risking a dollar, or lifting a finger. Of course, I expect contractors to bargain for themselves, not for the government, but somebody is well paid for taking care of the public's interest in such matters. Has he done his duty?"

Another instance is given as to corn shipments: "There have recently been received here thirty thousand bushels of corn from the states at a net cost, including transportation, of three hundred and forty thousand dollars, or over eleven dollars per bushel. No requisition was ever made for this corn, which could have been bought here, delivered, for two dollars per bushel, or sixty thousand dollars in all. The dead loss to the treasury on this corn is two hundred and eighty thousand dollars, even supposing that the service required it at all. Somebody makes a good thing of wagoning this corn from the Missouri at over ten dollars a bushel. Who believes that said somebody has not influential and thrifty connections inside of the War department?"

As a sample of attempted retrenchment in the government public service he cites the following: "The mail from Missouri to Salt Lake has hitherto been carried weekly in good six-mule wagons: the contract time being twenty-two days. The importance of frequent and regular communication with headquarters, at least so long as a large army is retained here at a heavy extra cost, and because of some presumed public necessity is evident. Yet the new Postmaster-General has cut down the mail-service on this important central route from weekly to semi-monthly. But the contractors, who are obliged to run their stages weekly because of their passenger business, and because they have to keep their stock and pay their men, whether they work or play, find that they cannot carry the mail every other week so cheaply as they can every week. For instance, a mail from the states now often consists of twelve to sixteen heavy sacks (most of them filled with franked documents), weighing as many hundred pounds. Double this, and no six-mule team would draw it at the requisite pace, and no mail-wagon stand the jerks and jolts of an unmade road. So they say, "please let us carry the mail weekly, though you only pay us for carrying it semi-weekly." But no! this is strictly forbidden! The postmaster at Salt Lake has expressed written orders to refuse it, and of course he at St. Joseph also. And thus all this central region, embracing at least a dozen important military posts, and countless Indian agencies, is reduced to a semi monthly mail service, though the contractor would gladly make it weekly at the same price!" (Overland Journey, pp. 253-257).

33. These Appendices consist of a Description of the Salt Lake Temple; the martyrdom of Joseph Smith by Apostle John Taylor; a contrast of moral conditions in collier villages in Durham, England, with those in Utah, London *Times* and *Deseret News;* and a "Chronological Abstract of Mormon History."

The part of the work which Captain Burton devoted to Mormonism is much more pretentious than the part in Mr. Greeley's book, devoted to the same subject. This might reasonably be expected, since thirty days' contact with a religious system, and a community life, regarded as more or less of a modern problem, gives greater opportunity for mastering the literature *pro et con* that has sprung up about it;[34] more time for analysis; and a larger chance for generalizing concerning it, *than ten days gives*—the time of Mr. Greeley's stay in Utah.

But while such a stay as Captain Burton made in Utah, and such other time as elapsed before the publication of the "City of the Saints"—1862—delayed as he was by many months of travel before sitting down to the task—scarcely admits of the necessary study of such a theme as Mormonism is in order to a thorough analysis of it, followed by constructive opinion about it, still it must be confessed that Burton's work furnishes the best non-Mormon treatis on the Mormon religion and philosophy, and the fairest if not the profoundest criticism of it,[35] not only up to the time of the publication of his book, but until now —1914.[36]

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34. Captain Burton himself publishes a Bibliography of eleven large pages of very small type— 6 point nonpareil—in which he admits a triple division: *Gentile works,* of which Gunnison's treatis, Kane's lecture, "The Mormons," and Jules Remy and Brenchly's two volumes—A Journey to Great Salt Lake City—1860—are samples; 2 *Anti-Mormon works,* of which Mormonism Unveiled, by Howe; John C. Bennett's Expose, and "Female Life Among the Mormons," by Miria Ward, are samples; 3 *Pro-Mormon Works,* in which division is cited the *Mormon Scriptures*—including, which is rarely done by non-Mormon Bibliographists, the Bible—Old and New Testaments; the Book of Mormon, Doctrine and Covenants, and Pearl of Great Price; the standard, and the only standard works of the Church, binding in faith and doctrine, and many works of secondary character, such as the writings of Orson and of Parley P. Pratt, John Taylor, Journal of Discourses, etc., etc.

35. This will be found principally and formally in chapter IX.—"City of the Saints"—56 pages. But in chapters both preceding and following the IXth, statement and criticism of fragmentary parts of the religion and philosophy of the Saints come up for passing notice.

36. If Captain Burton has any non-Mormon rival in the field of fair analysis of the Mormon religion and philosophy it would be in the work of Samuel M. Smucker, A. M. "The Religious, Social and Political History of the Mormons or Latter-day Saints," the latest edition of which is that of 1881, and which treats the subject from its origin up to the Death of President Brigham Young in 1877. Chapter X of Mr. Smucker's work—76 pages—is the one especially devoted to the analysis and criticism of Mormonism, and it has one advantage at least over Captain Burton's treatis—it is more serious and painstaking; and equally as fair, if less striking and powerful.

Of Burton's work and of non-Mormon books on Mormonism generally, Mr. Phil Robinson, the London *Telegraph* correspondent in Africa during the first Boer

It must not be thought, however, that what is here said of the evident intention of Captain Burton to be fair and somewhat exhaustive, that therefore his treatis is a satisfactory non-Mormon treatis, even, of the Mormon religion. In addition to the fact already noted—that this brilliant author did not allow himself sufficient time to master the literature, and become sufficiently familiar with the subject to write authoritatively upon it,[37] there is the spirit in which he wrote to be considered—and regretted.[37½] That spirit he both confesses and attempts to jus-

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war, said: "Whence have the public derived their opinions about Mormonism? From anti-Mormons only. I have ransacked the literature of the subject, and yet I really could not tell any one where to go for an impartial book about Mormonism later in date than Burton's "City of the Saints," published in 1862. Burton, it is well known, wrote as a man of wide travel and liberal education—Catholic, therefore, on all matters religious, and generous in his views of ethical and social obliquities, sympathetic, consistent, and judicial. It is no wonder, then, that Mormons remember the distinguished traveller, in spite of his candor, with the utmost kindness. But put Burton on one side, and I think I can defy any one to name another book about the Mormons worthy of honest respect. From that truly awful book, "The History of the Saints," published by one Bennett (even an anti-Mormon has styled him "the greatest rascal that ever came to the West") in 1842, down to Stenhouse's in 1873, there is not, to my knowledge, a single Gentile work before the public that is not utterly unreliable from its distortion of facts. Yet it is from these books—for there are no others—that the American public has acquired nearly all its ideas about the people of Utah. (Sinners and Saints—1883, p. 245). Mr. Robinson came to Utah in 1882 as the special correspondent of the New York *World*, and wrote a series of articles for that journal which at the time produced a widespread interest in Utah and Latter-day Saint affairs. These letters were reproduced in book form the following year, under the title "*Sinners* and *Saints*." Roberts Brothers, Boston, 1883.

37. Captain Burton, himself, very frankly admits that his twenty-four-days at headquarters (meaning Salt Lake City) while there was given him ample opportunities for "surface observation." still that was all that it amounted to—surface observation. He saw, according to his own narrative "specimens of every class from the head of the Church down to the field hand, and being a stranger in the land could ask questions and receive replies upon subjects which would have been forbidden to an American of the States, more especially to an official, but—"there is in Mormondon as in all other exclusive faiths, whether Jewish, Hindoo, or other, an inner life into which I can not flatter myself or deceive the reader with the idea of my having penetrated. At the same time, it is only fair to state that no Gentile, even the unprejudiced, who are *rarae aves*, however long he may live or intimately he may be connected with Mormons, can expect to see anything but the superficies. The writings of the Faithful are necessarily wholly presumed. And, finally, the accounts of Life in the City of the Saints, published by anti-Mormons and apostates, are venomous, and, as their serious discrepancies prove, thoroughly untrustworthy. I may therefore still hope, by recounting honestly and truthfully as lies in my power what I heard, and felt, and saw, and by allowing readers to draw their own conclusions, to take new ground. (City of the Saints, p. 203). But this it should be remembered, as well from the brevity of the time devoted to the subject as the difficulty of penetrating into it, was but surface ground."

37½. What the *Illustrated London News* in its review of the work called "Elaborate Jocoseness," "Our author," said the review, "is a pleasant narrator, and indeed, if he have a fault, it is that he is too much prone to elaborate jocoseness, and to expand the capabilities of the English language for that purpose." Copied into *Deseret News* of Jan. 22, 1862.

tify. "In commenting upon what was seen and heard," he remarks in his preface, "I have endeavored to assume—whether successfully or not the public will decide—the cosmopolitan character."

And again:

"If in parts of this volume there appear a tendency to look upon things generally in their ludicrous or absurd aspects—from which nothing sublunary is wholly exempt—my excuse must be *sic me natura fecit.* Democritus was not, I believe, a whit the worse philosopher than Heraclitus. The Procreation of Mirth should be a theme far more sympathetic than the Anatomy of Melancholy."

And yet no one will, I think, agree now that Democritus is a proper model to follow in the discussion of such a problem as that which the religion of the Latter-day Saints presents. Their faith has not succumbed to the most violent persecution inflicted upon any people in modern times (save only the Jews in Russia); it has survived all the mis-representations and the abuse heaped upon it by its enemies; it has established, to endure, the most remarkable and effective ecclesiastical organization of modern times; and by these and many other achievements—among them the bringing within its communion several hundred thousands of earnest, intelligent people—it has won the right to be treated seriously by its opponents. It is not a theme for the mirth or laughter of its critics; it has won too strong a position in the world of thought and achievement for that.

As an example of Captain Burton's flippant style the brief paragraph with which he opens his formal treatis "Of the Mormon Religion," will suffice:

"No less an authority than Alexander von Humbolt has characterized positive religions in general as consisting of an historical novelette, more or less interesting; a system of cosmogony more or less improbable; and a code of morals, mostly pure. Two thirds of this description apply to the faith of the Latter-Day Saints: they have, however, escaped palaeological criticism by adopting Genesitic history, and by 'swallowing Eve's apple' in the infancy of their spiritual life."[38]

38. "City of the Saints," p. 361.

As a sample of the errors and misapprehensions into which he falls, taken from his second paragraph, the following will answer every purpose:

"Before proceeding to comment upon the New Dispensation —for such, though not claiming or owning to be, it *is*—I may compare the two leading interpretations of the word "Mormon," which, as has been well remarked, truly convey the widely diverging opinions of the opposers and supporters of Mormonism."[39]

Our author then proceeds to render the two versions of the word "Mormon"; the anti-Mormon version *"a monster"*; Joseph Smith's definition, *"more good."* But it is with the statement that Mormonism is a new dispensation without claiming, or even owning itself to be such, that we have to deal. If there has been one fact of its existence that Mormonism has been more especially conscious of than another, one that it has emphasized more than another, it has been this fact that it *is a New Dispensation*—not a new religion, but a new dispensation of the old religion—of the Christian religion; and that Captain Burton should have missed that point is one evidence among many others that might be cited that due care was not observed by him in his treatis on Mormonism.[40]

Of Jules Remy's two large volumes—"A Journey to Great Salt Lake City"—Captain Burton said: "The two volumes are more valuable for the observations on the natural history of the (then) little-known Basin, than for the generalisms, more or less sound, with which the subject of the new faith is discussed." Though he himself is unconscious of it, Captain Burton's book is open to a similar criticism, only varying the point of it from the "natural history of the (then) little-known basin," to the then but little-known, yet viciously misrepresented people of Utah. That is wherein Captain Burton's contribution to the literature of Mormonism is of value, not in his analysis of, and his well-meant but erroneous generalizations regarding, the Mor-

39. *Ibid.*

40. The claims of Mormonism to being a new dispensation of the Christian religion—the gospel of Jesus Christ, and the last, the Dispensation of the Fulness of Times, is so fundamental and completely interwoven in its structure and history that citation of proof is not needed at this point, especially as the fact here dealt with is elaborately treated in chapter LIV of this History.

mon religion, but in the down-right honest report he makes—from his cosmopolitan view point, of course—of the people and conditions as he found them in Utah in the year of grace one thousand eight hundred and sixty; and for that the Latter-day Saints and all who would know the truth about conditions in Utah at the time of the Captain's visit are much beholden to him.[41]

NOTE I. INTERVIEW BETWEEN ALFRED CUMMING, GOVERNOR OF UTAH AND PRESIDENT BRIGHAM YOUNG. April 24th 1859: "At fifteen minutes past 10 a. m. Prest. Young, Daniel H. Wells and Geo. A. Smith walked down North Temple street to the mansion formerly owned by A. W. Babbit and called on Gov. Cumming.

"His Excellency received them very courteously and soon he began to make inquiries in relation to the progress of events and the probability that the army would come to Salt Lake City and said he had understood some time since that that was their intention, but he was in hopes they had given it up.

"Prest. Young told Gov. C. that if he was Governor he would not allow that army to interfere with civil affairs, he would require them to attend to their legitimate duties instead of interfering with the civil.

"The Gov. inquired if they had any late news of their movements.

"Gen. Wells said that some gentlemen in stripes had been examining the points above President Young's house, apparently looking out positions for artillery encampments.

"Gov. C. said he had understood that some civil engineers were making observations to obtain the longitude of the city.

"Gov. Wells replied that if that was their business they seemed very much interested in the high grounds that commanded Prest. Young's mansion and the city and the paths and road that led to them. Prest. Young said that when Kearns and McDonald were taken into Camp Floyd there was a general hue and cry to hang them, and he had no doubt that if he had been there he would not have lasted five minutes, and he did not believe they wanted anything of him only to lynch him.

"He requested the Governor, provided the army came here, to protect his buildings and family; 'for,' said he, 'I shall not be there;' but if there is a shot fired into my house I'll prove not to be far away. * * * *

"Gov. C. said that he did not feel free to act and firmly require

41. For the spirit in which he makes his report of the people and the conditions in Utah as he found them, see note 3 end of chapter.

that army to remain where it was for fear it would be taken as a challenge, and in a defiant spirit they would rush over it. Gen. Wells asked the Governor by what law prisoners for civil offences were detained in military custody by the army—The Governor replied 'violence.'

"President Young said," [addressing Cumming] "You have acquired an honorable name by your firm course in administering in your executive capacity among this people; but, if you suffer that army to head down the civil power and walk over you, it will be the cause of your losing your influence; and Governor, you will yet learn that the Lord gives nations, communities and individuals character and influence and takes them away at his pleasure. That army will obey you if you step forward and require them to keep still, which is what the law requires of you as chief Executive of this Territory; even if you were to exceed your powers in preserving peace you would be sustained in it; but I do not want you to do a thing only what the law and your instructions will sustain you in, and clearly authorize you to carry out; and nothing more is necessary at the present time.

"The Governor read his report to the State department in which he testified of the good order and peaceful disposition of the people and of the unnecessary use of the military at Provo, and that the use of the military in his opinion was more from hatred to Mormons than the love of justice, and if continued would result in much bloodshed.

"Pres. Young told him that the course pursued was driving hundreds of men into the mountains and was laying a foundation for a famine—that we raised next to nothing last year and that thousands of acres would lie idle because of the interference of the military with the people in seed time; but I do not know but it is the design to prevent the people from raising grain, so as to favor contractors in freighting it here for the use of the army. Gov. C. said he should have thought the contract of transportation of Messrs. Russell, Waddell and Company could have opened the eyes of Congress as the contract had been awarded them until 1861. * *

* * * "Prest. Young told him [Cumming] that this was the best government in the world, but at the present time was the worst government. It was perfectly astonishing, surprising, and heartrendering to see almost every man in office swindle the nation for his own pecuniary interest, and referred to the remarks of ——, of Georgia, and Hales, of New Hampshire, in the Senate, in which they declared that at the present time the government was the most corrupt in existence.

Gov. Cumming said such has been the natural tendency of all forms of government.

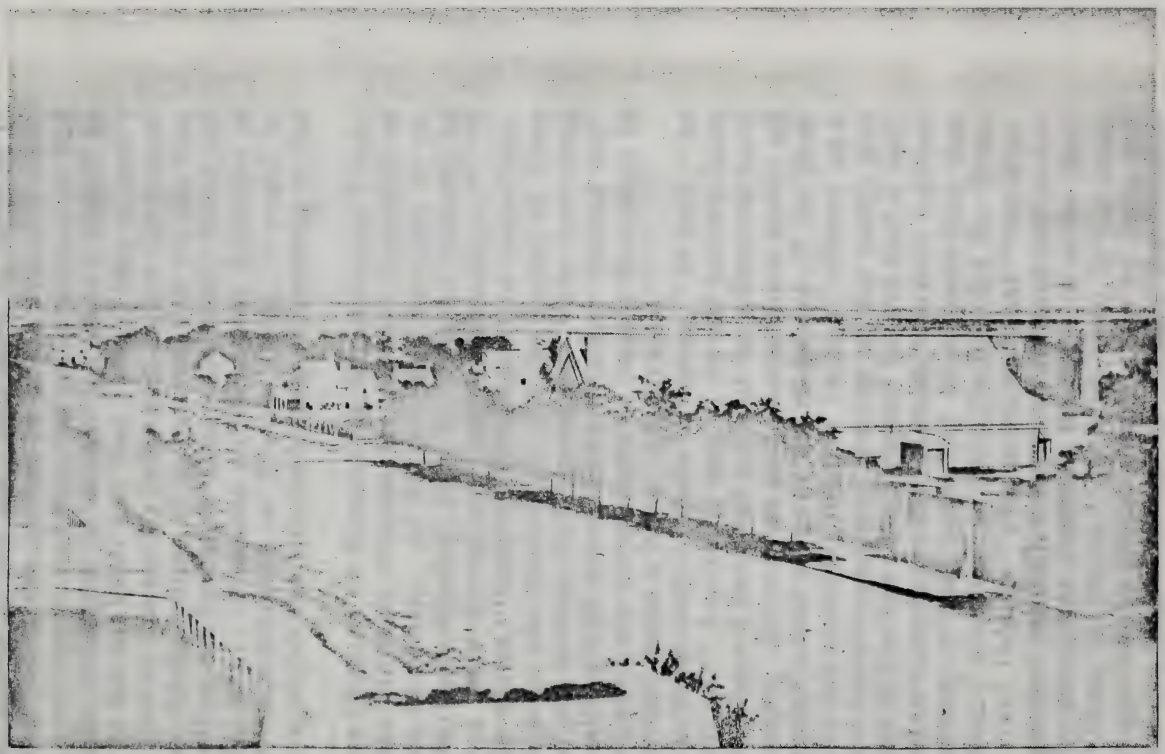
"The president told Gov. Cummings that if we had burned our houses as we had designed last spring, we would have been saved this annoyance; but the firm course that he [Cumming] pursued, and his assurance that civil law should have its course without military interference, had inspired confidence; but if he could not live in peace he would burn all the property that he had and give them the Territory as barren and desolate as we found it. We have no intention of going to any other country; for if we cannot live in peace here we cannot live any where else in peace. If there was any other place that was worse than this we might go there, but there is none in the world, that I know of, and here in these mountains I intend to stay as long as I please.

"We kept the army out until you and the Peace Commissioners induced us to consent for them to come in. We could have cut them in pieces if we had chosen, and all that they could have sent; but we desired peace above all things else; but if we cannot have peace, we can at least preserve ourselves in these mountains until we waste away those that oppress us. * * * * I care nothing about property. I am perfectly willing to go before any court of justice or any other civil tribunal and have every act of my life scanned, and all the men in the world examined as witnesses, as to whether I committed any crime or sanctioned any criminal act. I will not be nosed about by the military, and I will not go into their camp alive. It is in your power to put a stop to this difficulty and if you do not do it an action of the people will have to do it. My faith and determination are that we will avoid a collision, at any rate we will do it if possible.

"Gov. Cumming said, *I presume Gen. Wells, you have arrangements so made that if any army starts from Comp Floyd, that you will soon know of it.*

"The Gen. replied, I presume I should learn about it in a short time. Gov. C. said: In case such a thing takes place I wish you would let me know. Gen. Wells replied, I will do so, and make you acquainted with our movements immediately. * * *

"Gov. C. said he did not know what to do or to advise under the circumstances. Said, there was a difference of construction upon their instructions. The judiciary are a co-ordinate branch of the Government, their calling on the military seemed a very difficult matter for him to interfere with. He had no doubt but that in a few weeks he should get from Washington the instructions that he wished; but if Judge Sinclair should force the issue before that time he should not know what to advise.



The Old Tabernacle, Salt Lake City, Utah, 1852-1879.

Prest. Young told him, that it was in his power with instructions he had to hold the army still; 'but as for advice, with all due respect to your Excellency, I do not wish any. I do not calculate to take the advice of any man that lives, in relation to my affairs. I shall follow the council of my Heavenly Father, and I have faith to follow it, and risk the consequences. I told Col. Kane, when he undertook to counsel us, what I should do last spring; that he did not know me; that I would take no man's council upon the face of the earth; but would follow the council of God. You may think strange of it, but you will yet see that I am right.' " (Hist. of Brigham Young Ms. entry for April 24th, 1859, pp. 373-380.) Comment on this great interview is not needed. Nobler sentiments or braver words, it would be difficult to conceive, under the circumstances, as occuring to the mind of man.

NOTE 2: HORACE GREELEY ON MORMONISM MORMONS AND UTAH: —The spirit of the Mormon religion Mr. Greeley regarded as judaic rather than Christian. At the religious meetings he attended at the Tabernacle Sunday, July 17, 1859, he declared he had never "seen a more devout and intent assemblage." "I had been told," he writes, "that the Mormons were remarkably ignorant, superstitious, and brutalized; but the aspect of these congregations did not sustain that assertion. Very few rural congregations would exhibit more heads evincing decided ability; and I doubt whether any assemblage, so largely European in its composition, would make a better appearance."

"Do I regard the great body of these Mormons," he asks, "as knaves and hypocrites?" Assuredly not. I do not believe there was ever a religion whereof the great mass of the adherents were not honest and sincere. Hypocrites and knaves there are in all sects; it is quite possible that some of the magnates of the Mormon Church regard this so-called religion (with all others) as a contrivance for the enslavement and fleecing of the many, and the aggrandizement of the few; but I cannot believe that a sect, so considerable and so vigorous as the Mormon, was ever founded in conscious imposture, or built up on any other basis than that of earnest conviction." (Journey, p. 223). Neither did Mr. Greeley accept the current Gentile "presumption" that "the Mormons were an organized banditti, a horde of robbers and assassins." Nor did he altogether discredit the tales of some Mormon outrages. "These Mormons," he said, "are in the main an industrious, frugal, hard-working people. Few of them are habitual idlers; few live by professions or pursuits that require no physical exertion. They make work for but few lawyers—I know but four among them—their differences and disputes are usually settled in and by the church; they have no female out-

casts, few doctors, and pay no salaries to their preachers—at least, the leaders say so. But a small portion of them use tea and coffee. Formerly they drank little or no liquor; *but, since the army came in last year, money and whisky have both been more abundant, and now they drink considerably.* * * * As yet, I believe, they have few or no drunkards; but there is nothing more deceitful than the appetite for liquor." (Journey, p. 234.)

Of the industrial disadvantages the people of Utah labor under, he said: "The average life in Utah is a hard one. Many more days' faithful labor are required to support a family here than in Kansas, or in any of the states. The climate is severe and capricious—now intensely hot and dry; in winter cold and stormy; and, though cattle are usually allowed to shirk for themselves in the valleys, they are apt to resent the insult by dying. Crickets and grasshoppers swarm in myriads, and often devour all before them. Wood is scarce and poor. Irrigation is laborious and expensive; as yet, it has not been found practicable to irrigate one-fourth of the arable land at all. Ultimately, the valleys will be generally irrigated, so far as water for the purpose can be obtained; but this will require very costly dams and canals. Frost is very destructive here; Indian corn rarely escapes it wholly, and wheat often suffers from it. Wheat, oats, corn, barley, rye, are grown at about equal cost per bushel—two dollars may be taken as their average price; the wheat crop is usually heavy, though this year it threatens to be relatively light. I estimate that one hundred and fifty days' faithful labor in Kansas will produce as large an aggregate of the necessaries of life—food, clothing, fuel—as three hundred just such days' work in Utah. Hence, the adults here generally wear a toil worn, anxious look, and many of them are older in frame than in years. I ardently hope it may not always be thus." (Id. pp. 237-8).

Mr. Greeley was disappointed in the lack of abolition sentiment in Salt Lake City, which he resented by saying: "I have not heard to-night, and I think I never heard, from the lips or the journals of any of your people, one word in reprehension of that national crime and scandal, American chattel slavery. . . . This obstinate silence, this seeming indifference on your part, reflects no credit on your faith and morals, and I trust they will not be persisted in." This harsh, not to say dictatorial language was softened somewhat by Elder John Taylor—master of ceremonies at the reception and banquet tendered Mr. Greeley at which the above passage was given—saying: "The subject of slavery is one on which Mr. Greeley is known to be enthusiastic, as we are on the subject of our religion. We cannot help speaking of our religion at every

opportunity, as he cannot help speaking of slavery. Those who do not relish this or that topic, must excuse its introduction." (Overland Journey, p. 243).

Mr. Greeley was of opinion that polygamy, from his view not necessarily an essential of Mormonism, would be abandoned. On taking his leave of Salt Lake City, he said: "I bid adieu to Salt Lake City, the great mass of whose people, I am sure, have an unfeigned 'zeal for God,' though I must deem it 'not according to knowledge.' Long may they live to unlearn their errors, and enjoy the rich fruits of their industry, frugality, and sincere though misguided piety. (*Id.*, p. 242).

NOTE 3. CAPTAIN BURTON'S REPORT OF THINGS MORMON,—1860.

I. *General misapprehension, and untrustworthiness of Anti-Mormon Literature*: "The Mormons have been represented, and are generally believed to be, an intolerant race; I found the reverse far nearer the fact. The best proof of this is that there is hardly one anti-Mormon publication, however untruthful, violent, or scandalous, which I did not find in Great Salt Lake City. The extent of the subjoined bibliographical list (referred to in note 34, this chapter) would deter me from a theme so used up by friend and foe, were it not for these considerations. In the first place, I have found, since my return to England, a prodigious general ignorance of the "Mormon rule;" the mass of the public has heard of the Saints, but even well-educated men hold theirs to be a kind of socialistic or communist concern, where, as in the world to come, there is no marrying nor giving in marriage. Even where this is not the case, the reader of travels, will not dislike to peruse something more of a theme with which he is already perhaps familiar; for in this department of literature, as in history and biography, the more we know of a subject, the more we want to know. Moreover, since 1857, no book of general interest has appeared, and the Mormons are a progressive people, whose "go-a-headitiveness" in social growth is only to be compared with their obstinate conversatism in adhering to institutions that date from the days of Abraham. Secondly, the natural history of the New Faith—for such it is—through the several periods of conception, birth, and growth to vigorous youth, with fair promise of stalwart manhood, is a subject of general and no small importance. It interests the religionist, who looks upon it as the "scourge of corrupted Christianity," as much as the skeptic, that admires how, in these days of steam-traveling, printing, and telegramming, when "Many run to and fro," and when "knowledge" has been "increased," human credulity will display itself in the same glaring colors which it wore ere the diffusion of knowledge

became a part of social labor. The philosophic observer will detect in it a notable example of how men's *agitat molem,* the "powerful personal influence of personal character," and the "effect that may be produced by a single mind inflexibly applied to the pursuit of a single object;" and another proof that "It is easier to extend the belief of the multitude than to contract it—a circumstance which proceeds from the false but prevalent notion that too much belief is at least an error on the right side. * * * * * I hope to make it appear that the highly-colored social peculiarities of the New Faith have been used as a tool by designing men to raise up enmity against a peaceful, industrious, and law-abiding people, whose whole history has been a course of cruel persecution, which, if man really believed in his own improvement, would be a disgrace to a self-styled enlightened age."

2. *Burton's character sketch of Brigham Young*: "Altogether the Prophet's appearance was that of a gentleman farmer in New England—in fact, such as he is: his father was an agriculturist and revolutionary soldier, who settled "down East." He is a well preserved man; a fact ————attributed to his habit of sleeping, as the Citizen Proudhon so strongly advises, in solitude. His manner is at once affable and impressive, simple and courteous: his want of pretension contrasts favorably with certain pseudo-prophets that I have seen, each and every one of whom holds himself to be a "Logos" without other claim save a semi-maniacal self esteem. He shows no signs of dogmatism, bigotry, or fanaticism, and never once entered—with me at least—upon the subject of religion. He impresses a stranger with a certain sense of power; his followers are, of course, wholly fascinated by his superior strength of brain. It is commonly said there is only one chief in Great Salt Lake City, and that is "Brigham." His temper is even and placid; his manner is cold—in fact, like his face, somewhat bloodless; but he is neither morose nor methodistic, and, where occasion requires, he can use all the weapons of ridicule to direful effect, and "speak a bit of his mind" in a style which no one forgets. He often reproves his erring followers in purposely violent language, for a stolen horse or cow. His powers of observation are intuitively strong, and his friends declare him to be gifted with an excellent memory and a perfect judgment of character. If he dislikes a stranger at the first interview, he never sees him again. Of his temperance and sobriety there is but one opinion. His life is ascetic: his favorite food is baked potatoes with a little buttermilk , and his drink water: he disapproves, as do all strict Mormons, of spirituous liquors, and

never touches any thing stronger than a glass of thin Lager-beer; moreover, he abstains from tobacco. Mr. Hyde has accused him of habitual intemperance, he is, as his appearance shows, rather disposed to abstinence, than to the reverse. Of his education I can not speak: "Men, not books—deeds, not words," has ever been his motto; he probably has, as Mr. Randolph said of Mr. Johnston, "a mind uncorrupted by books." In the only discourse which I heard him deliver, he pronounced impêtus, impétus. Yet he converses with ease and correctness, has neither snuffle nor pompousness, and speaks as an authority upon certain subjects; such as agriculture and stock breeding. He assumes no airs of extra sanctimoniousness, and has the plain, simple manners of honesty. His followers deem him an angel of light, his foes a goblin damned: he is, I presume, neither one nor the other. I can not pronounce about his scrupulousness: all the world over, the sincerest religious belief and the practice of devotion are some times compatible not only with the most disorderly life, but with the most terrible crimes; for mankind mostly believe that

"Il est avec le ciel des accommodements."

He has been called hypocrite, swindler, forger, murderer. No one looks it less. The best authorities—from those who accuse Mr. Joseph Smith of the most heartless deception, to those who believe that he began as an impostor and ended as a prophet—find in Mr. Brigham Young "an earnest, obstinate egotistic enthusiasm, fanned by persecution and inflamed by bloodshed." He is the St. Paul of the New Dispensation: true and sincere, he gave point, and energy, and consistency to the somewhat disjointed, turbulent, and unforeseeing fanaticism of Mr. Joseph Smith; and if he has not been able to create, he has shown himself great in controlling circumstances. Finally, there is a total absence of pretension in his manner, and he has been so long used to power that he cares nothing for its display. The arts by which he rules the heterogeneous mass of conflicting elements are indomitable will, profound secrecy, and uncommon astuteness."

At the close of his description of his interview with President Young Captain Burton gives his impression of the Prophet in this passage: "When conversation began to flag, we rose up, shook hands, as is the custom here, all round and took leave. The first impression left upon my mind by this short seance, and it was subsequently confirmed, was, that the Prophet is no common man, and that he has none of the weakness and vanity which characterize the common uncommon man. A desultory conversation can not be expected to draw out a master spirit, but a

truly distinguished character exercises most often an instinctive —some would call it a mesmeric—effect upon those who come in contact with it; and as we hate or despise at first sight, and love or like at first sight, so Nature teaches us at first sight what to respect. It is observable that, although every Gentile writer has represented Mr. Joseph Smith as a heartless impostor, few have ventured to apply the term to Mr. Brigham Young." Burton's City of the Saints, chapter IV.

CHAPTER XCIX

Close of the Camp Floyd Period—Completion of the Overland Telegraph—Efforts of Utah to Get Into the Union, While Others Strive to Get Out—Attitude of the Latter-Day Saints in the Great American Conflict.

The approaching outbreak of the war between the states brought to a close the Camp Floyd period in Utah. On the 22nd of February, 1860, General Johnston, acting upon his discretionary orders from the Secretary of war, announced to the Adjutant General U. S. A., at Washington, that the service in Utah did not require his special presence, and he had therefore turned over the command, on the above date, to Brevet Col. Chas. F. Smith, 10th Infantry, and that on the next day he intended to start for Washington by the southern route to California,[1] thence across the isthmus for the east.

His departure was very quietly effected. No mention of it being made in the Deseret News, until the 7th of March. The General never visited Salt Lake City after passing through it in June, 1858; just why is left wholly to conjecture, as he himself deigned to give no explanation. The General and Brigham Young never met each other. Of the strict discipline General Johnston maintained in the army, which contributed so much to keeping down to a minimum the evils that the presence of an armed camp of soldiers introduced into the Territory, I have already spoken; and also of the appreciation that was felt on the part of the civil community for that service. One can only regret that so excellent a soldier and gentleman could not have so

1. See Letters of the War Department and Johnston's Letter to the Adjutant-General, Senate Ex. Doc. 36th Cong., 1st Sess., No. 32, pp. 50-1.

far overcome his prejudices as to have made at least a better and a more extended acquaintance among the civilians of the city and of the Territory.[2]

Camp Floyd was still further reduced by the departure of a number of companies for New Mexico in May. They went by way of the Timpanogas (i. e. Provo river), Echo Canon, Fort Bridger and Fort Laramie. The companies marched in two sub-columns under the command of Col. Morrison and Major Isaac Lynde, respectively. A very large contingent of the camp followers—including women and gamblers that had infested Camp Floyd—left with these detachments, much to the relief and satisfaction of the people of Utah.[4] On Yellow Creek, near the head of Echo Canon, the retiring companies—officers and men—disgraced the army by permitting and participating in a most brutal assault upon William and James Hennifer. The former was stripped of his clothing and then whipped and beaten nearly to death at the instance of Assistant Surgeon, Dr. Edward Covey and Lieutenant Ebenezer N. Gay. The assault was an act of revenge. William Hennifer was on the police force in Salt Lake City at the time Dr. Covey was arrested for riot and an assault upon the police, in November, 1858,[4] and participated in Covey's arrest. Finding Hennifer in the army camp, afforded Covey the opportunity for his cowardly revenge, which was executed in the presence of a large concourse of officers and troops of the

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2. "Those who have made the General's acquaintance since his arrival in the valley" said the *Deseret News* in its notice of his departure, "speak highly of him as an officer and a gentleman. For some cause he never visited Salt Lake City after he passed through it with his army on the 26th of June, 1858, consequently he never had the opportunity of seeing the 'lion,' "—[i. e. meaning Brigham Young]. *Deseret News* of March 7th, 1860.

3. See Johnston's letter to Adjutant-General U. S. A., Feb. 22, 1860. Sen. Ex. Doc., 36th Cong., 1st Sess., No. 32, p. 51.

4. *"Moving Off:"* Since the scarcity of money in this Territory began to be felt by the riff-raff, that followed the army to Utah, they have been leaving slowly, and before it was generally known that a large portion of the troops were to be removed, the number of that class of beings had been greatly reduced in this and other cities in this part of the country, to the great joy of the citizens. The recent marching of troops has given a new impetus to their emigrating inclinations, and they have, during the last few weeks, been leaving the Territory by scores, and gamblers, blacklegs, thieves and murderers are not so plenty hereabouts by half as they were two weeks ago, with a fair and increasing prospect that their numbers will continue to grow less, till there will be but few, or none of them, left in the land. (*Deseret News* of May 23rd, 1860).

4. See Chapter XCVI, note 24.

army, and within fifty and one hundred yards respectively, of Col. Morrison and Major Lynde's tents.[5]

Col. Charles F. Smith, as already observed, was left in command at Camp Floyd on the departure of General Johnston.[6] He was later superseded by Col. P. St. George Cooke who had been in the east on leave of absence, but had been assigned meanwhile to the command of the post.[7] Some time after Col. Cooke was placed in command, the name of Camp Floyd was changed to Fort Crittenden. The *Deseret News* states that the change was made by Col. Cooke and his officers in February, 1861, subject to the approval of the War Department.[8] The change was no doubt suggested on account of the manifest treason of Secretary of War John B. Floyd to the government. The camp, however, scarcely became accustomed to its new name before the orders arrived for its abandonment. This was effected late in the summer of 1861. The government property at Fort Crittenden, that the retiring army could not conveniently take with it, was ordered to be sold at public auction, excepting arms and munitions of war, all which, in excess of what could be conveniently carried by the returning troops, was to be destroyed.[9] The government property, consisting of the houses

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5. See *Deseret News* of June 6th, 1860. For details of the incident see note 1 end of this chapter.

6. See Johnston's letter to Adjutant-General U. S. A., Feb. 22, 1869. Sen. Ex. Doc., 36th Cong., 1st Sess., Nov. 32, p. 51.

7. This much against his desire; for in conversation with Geo. Q. Cannon in April, while yet in the East, Col. Cooke "hoped he would not be under the necessity of starting for Utah to take charge of the army, as he hoped the whole of the army would be withdrawn." Hist. of Brigham Young, *Ms.*, entry for April, 1860, p. 105.

8. *Deseret News* of Feb. 13th, 1861.

9. See Article in *Mill. Star,* Vol. XXIII, p. 613. Also affidavit of Geo. Goddard, Hist. of Brigham Young, *Ms.* entry for July, 1861, pp. 379, et seq. Goddard tried to purchase two or three tons of powder for blasting purposes, but the officers at the Fort though quite willing personally to grant the request, could not do so because of the orders of the War Department. He tried to purchase a few hundred thousand gun caps, but these the officers could not sell, and as they were light and easy of transportation Captain Clark of the ordnance department declared his intention to take them to the states (Id.). Respecting this destruction of arms and other munitions of war, the *Millenial Star* had a strong Editorial, in the course of which it was said: "Before leaving, everything they could not take with them, excepting the guns and ammunition they could not carry, was sold out. These latter, consisting of guns, powder, lead, and shell, they destroyed. An action of this kind requires no comment. After the army had been detained in the mountains by the threatened resistance of the people of Utah, it was asserted that one of the principal objects the Government had in view in sending them there was to protect the settlers in that country and the emigrants who might be pass-

and other buildings, wheat, flour, bacon, groceries, harness, tents, mules, wagons, all kinds of tools, etc., sold at ridiculously low prices: flour at 52 cents per 100 lbs. in double sacks. Brigham Young bought 25 tons of flour for the Church at even less than that, paying but $10 per ton.[10] This flour had cost the government $28.40 per sack, or about $570 per ton, delivered in Salt Lake City.[11] The other government property sold at a like ratio of loss to the government. It was estimated that $4,000,000 worth of property was sold for $100,000; less than three per cent. of its cost value to the government; and of this purchase price Brigham Young is said to have supplied $40,000 through his business agent Mr. Hiram B. Clawson.[12] The foundations of the fortunes of a number of Utah men, who afterwards became prosperous merchants in Salt Lake City, were laid in the advantageously low prices at this government sale.

The sales of the property ended, the arms that could not be taken back to the states with the retiring troops, were carried some distance from the camp, piled up in pyramids, then buried in powder and the pyramids connected by a fuse. This, at a given signal, was lighted, and the destruction completed, save for a few pieces of ordnance that could not be wrecked by explosion, and these were thrown into deep wells, only afterwards to be recovered by the citizens and used in the armament of the Nauvoo Legion-the name under which was organized, it will be remembered, the Territorial militia.[13]

Thus was destroyed, in large part, the munitions of war that

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ing through from the attacks of the Indians. They tried to persuade the people of the Territory that they, in preventing them from entering into the Valley, were interfering with the generous intentions of their true friends. This was the view, also, they gave to the world. Of course, upon their being called away, it might have been expected that, as they could not be there themselves to assist in the defence of the people and country, they would at least have left what arms and ammunition they could spare. But no, they would neither sell nor leave to be used, munitions of this kind. (*Mill. Star*, Vol. XXIII, p. 613).

10. Hist. of Brigham Young, *Ms.*, July, 1860, p. 332.

11. Bancroft's Hist. of Utah, p. 575.

12. See Editorial in *Mill. Star*, Vol. XXIII, p. 613; also Bancroft's History of Utah, p. 575; and Stenhouse "Rocky Mountain Saints"—1873, pp. 421-3. Tullidge's History of Salt Lake City, p. 248.

13. Tullidge's History of Salt Lake City, pp. 248-9. For some time the soldiers were permitted in the evening to amuse themselves in firing shells from the mortars as one of the means of destroying them. From fifty to seventy-five shells would be fired each night, the shells exploding usually before striking the hills at which they were fired. (Goddard Affidavit, Hist. Brigham Young, entries for July, 1861, pp. 379-80).

equipped the best furnished, and the most distinguished officered expedition ever sent out by the United States government in a time of peace. The army came to Utah—under certain contingencies, at least—to destroy; what it really did was to enrich the Latter-day Saint community of Utah. "They [the army] will move away for the states within two weeks," wrote William Clayton to Geo. Q. Cannon; "and thus ends the great Buchanan Utah Expedition, costing the government millions, and accomplishing nothing except making many of the Saints comparatively rich, and improving the circumstances of the people of Utah. You may well believe that merchants and speculators look blue and feel gloomy enough, and the true Saints feel well in proportion.[14]

The approaching departure of the last remnants of the army from Fort Crittenden, together with the necessary mingling of the officers and leading civilians of Salt Lake City in the transaction of the necessary business of conducting the sales of government property, softened the asperities that had hitherto existed between the military authorities of the camp and the citizens of the Territorial capital, and made it possible for them to separate with something that had the appearance of amity. Mr. Hiram B. Clawson, who had acted as President Young's business agent in the matter of making purchases at Fort Crittenden, invited the officers of the camp to call upon President Young, an invitation they readily accepted; and Col. Cooke with his associated officers presented to Brigham Young the flag-staff of Camp Floyd-Fort Crittenden, which had been erected at the army post early in November, 1858; and upon which, on the 9th of that month, the national flag was unfurled in the presence of the General commanding and amid great military display—the playing of national airs by the bands, the cheering of the army, and the firing of the national salute, then thirty two guns, one for each of the states of the Union.[15]

1b. The letter bears date of July 16th, 1861, the day the auction sales began at Fort Crittenden.

15. The flag staff was 90 feet long from the ground to the truck; the first mast was about 45 feet long from the ground to the cross trees; 9 feet in the ground, circumference at the base, 4 feet 4 inches. It was well made and a good piece of timber. The post flag unfurled that day measured 40 by 28 feet. No breeze greeting it when first drawn to the top of the flag pole, it hung listless in

After the remnant of the army was departed, the flag staff was removed from Fort Crittenden, and planted on the hill crest immediately east of the Bee Hive House, where it stood for many years.[16]

Thus passed Camp Floyd-Fort Crittenden out of existence[17] —save for its history. The only thing that remains to remind the visitor to Cedar Valley that it was once the site of a considerable military encampment—numbering with its attaches above five thousand souls—is the light, iron fenced grave-yard, and the granite stone monument which marks the last resting place of the officers, soldiers, and civilian employes who died during the three years that the army was stationed there.

As part of the breaking up of Camp Floyd and the closing of the period which naturally bears its name, there should be noted the departure of Governor Cumming from the Territory. His term of office came to a close in the spring of 1861; and on the 17th of May he quietly took his departure from the city, going *via* Emigration Canon. Near the foot of Little Mountain one of his baggage wagons upset and the contents of it rolled into the creek. Some workmen passing at the time assisted in getting the wagon righted up and replacing the wetted freight; for

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its folds. In that form it was beautifully emblematical of peace. But about an hour after the celebration of raising it was over, a light wind arose and unfurled it in all its glory. "As it stretched its ample folds in the breeze," said the *Deseret News'* acount of the ceremonies, "the mind could not but reflect that now, when nobly waving, it was like the sons of America, though mild in peace [symboled in the furled flag in the absence of the breeze an hour before] can, when roused by commotion, display a willingness to exert a fearless power; and exclaim—

Hurrah! for the stripes and stars,
That float over land and sea;
A terror to tyrants in wars,
And the pride of the sons of the free.

(*Deseret News,* impression of Nov. 10th, 1858).

16. "And, singularly enough," remarks Stenhouse, "that flag staff on which were hoisted the 'Stars and Stripes' to rally the troops that had come to overthrow 'the Kingdom,' was subsequently used to assemble the Mormons for the defence of Brigham against the California volunteers, who for months were expected to arrest him." (Rocky Mountain Saints, p. 422).

17. Commenting on the passing of Camp Floyd Gilbert Clements, in a letter to W. G. Mills—then in England upon a mission—under date of Aug. 25th, 1861, said: "The troops are gone. Camp Floyd, which for three years past has resounded with the orgies of the ungodly and become a nest for every unclean thing, has reverted to its wonted quietude and simplicity. Sometimes I regret that I never visited it; yet at other times I feel grateful that I have kept myself entirely aloof from Gentile influences and associations. I did not even attend the sale, though many have made fortunes by so doing. The vast stores of groceries, provisions, and the vast material of the "gallant army," were sold for a mere song. (*Mill. Star,* Vol. XXIII, p. 694).

which the governor insisted, after his own fashion, on making liberal compensation. Brigham Young was absent from the city at the time visiting settlements in the south, and did not have the opportunity of saying good bye to his generous hearted friend. The Governor seems to have been determined to keep his departure from the city a secret. "It seemed to be his wish," said the *Deseret News* five days after his departure, "to avoid any demonstration of his friends on the occasion of his departure, carefully concealing from them, as far as possible, the time when it might be expected to take place, and few, if any knew when he went, as he was moving about briskly from place to place during the day closing up his business affairs, and late in the afternoon started out so unceremoniously, that it was not generally known that he had gone till the next morning.

Commenting upon his administration the *News* also said:

"Of the official acts of Governor Cumming as the chief magistrate of Utah, we do not wish to speak particularly at this time, further than to say that his straightforward course pursued in the discharge of his executive duties, and the independence he has manifested and maintained in the midst of the difficulties which have surrounded him at times have secured for him many friends, by whom he will not soon be forgotten whatever the future may bring forth. We wish him and his lady a prosperous trip across the plains, and a safe arrival at their dwelling place on the banks of the Savannah."

Thus passed from the community life of Utah one of the kindliest hearted gentleman, and one of the truest and bravest friends of the people, Utah ever had. Secretary Wooton succeeded as acting Governor, after the departure of Cumming, but his "reign" was a brief one, since as a Marylander of strong southern sympathies, he soon resigned, to return home and cast in his lot with the cause of the confederacy.

The Utah Expedition, now come to its inglorious close, will be well named in History "Buchanan's Folly"; for while it achieved neither practical nor sentimental ends in Utah—unless to intensify the feeling of many of the Latter-day Saints that the General Government was indeed their enemy, and bent upon their destruction, could be regarded as sentimental ends—and at the same time it cost government through years when its treas-

ury was depleted,[18] and at a most inopportune time—on the eve of the war between the states—a great amount of treasure, variously estimated at from ten to forty millions of dollars.[19]

The close of the Camp Floyd period of this History brings us over into the Civil War period, and here is the proper place to deal with the Mormon attitude—as expressed through Utah's attitude—towards that very great national event.

On the afternoon of October 18th, 1861, the Over Land Telegraph Line was completed to Salt Lake City, thus realizing in part the desires expressed by the Latter-day Saints through the Territorial Legislature of Utah, as early as March, 1852, when Congress was memorialized by that body to provide for the construction of a telegraph line from some point on the Mississippi or the Missouri to the Pacific coast, *via* Salt Lake City.[20]

The first use of the electric messenger being courteously extended to President Brigham Young, he sent the following message to the president of the telegraph company:

"Sir: Permit me to congratulate you upon the completion of the Overland Telegraph Line west to this city, to commend

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18. Speaking of the embarrassing financial condition of the government at the close of the Buchanan Administration, to which the expense of the Utah Expedition during that administration had contributed so much, and the perplexities which confronted the new secretary of the treasury in Mr. Lincoln's cabinet—Mr. Salmon P. Chase—Bryant—Gay—Brooks History of the United States says: "On taking office he found the credit of the Government impaired at home and almost destroyed abroad. Revenue had been permitted to shrink without alarm, and apparently without creating concern. The public debt had been increased, although at the date of Mr. Lincoln's election it stood at what now seems the very moderate figure of less than $65,000,000. Expenditures had for some time exceeded revenue. The Treasury was empty—there was not money enough to pay members of Congress. Such was our financial condition when Congress assembled in extra session on July 4th, 1861. (Vol. V, p. 487).

19. Stenhouse puts the cost at fourteen million dollars, (Rocky Mountain Saints, p. 421); Tullidge twenty million, (Hist. Salt Lake City, p. 248); the contracts for sending supplies to the army in Utah and those that were to go to reinforce them in the spring of 1858 alone amounted to more than six millions (*Atlantic Monthly*, April, 1859); United States Senator Broderick, of California, in conversation with President Young, put the cost of the Utah Expedition at forty millions, (Hist. of Brigham Young, *Ms.*, entries for Oct., 1859, p. 1017). In the History of Brigham Young *Ms.*, under date of Dec. 13th, 1859, is a tabulated statement of the expenses of the Government's "campaign against the Mormons" up to that time, giving what is evidently a careful statement of the respective divisions of the army marched into Utah and their subsequent distribution up to that time. It is the most carefully itemized statement of the forces and the probable expenses up to that time extant; and for that reason will be found as note 1 at the end of this chapter.

20. See Acts and Resolutions of the First Annual and Special Sessions of the Legislative Assembly of the Territory of Utah, 1851-2, pp. 226-7; also this History, Ch. LXXXII.

the energy displayed by yourself and associates in the rapid and successful prosecution of a work so beneficial; and to express the wish that its use may ever tend to promote the true interests of the dwellers upon both the Atlantic and Pacific slopes of our continent.

"Utah has not seceded, but is firm for the Constitution and laws of our once happy country, and is warmly interested in such useful enterprises as the one so far completed."[21]

In his reply Mr. Wade said to President Young that he was gratified that the "first message to pass over the line, should express so unmistakably the patriotism and Union-loving sentiments of yourself and people."[22]

On the same date of President Young's dispatch to Mr. Wade, Hon. Frank Fuller, Secretary of the Territory, and then acting Governor of Utah, sent the following salutation over the wire to President Lincoln;

G. S. L. City, Oct. 18, 1861.

To the President of the United States:

Utah, whose citizens strenuously resist all imputations of disloyalty, congratulates the President upon the completion of an enterprise which spans a continent, unites two oceans, and connects with nerve of iron the remote extremities of the body politic with the great governmental heart. May the whole system speedily thrill with the quickened pulsations of that heart, as the parricide hand is palsied, treason is punished, and the entire Sisterhood of States join hands in glad reunion around the national fireside. Frank Fuller,

Acting-Governor of Utah Territory.

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21. *Deseret News* of Oct. 23rd, 1861.

22. Ibid. The full text of the telegram was as follows:

"CLEVELAND, Oct. 19th, 1861.

"HON. BRIGHAM YOUNG, Prest.

"Great Salt Lake City.

"SIRS—I have the honor to acknowledge the receipt of your message of last evening, which was in every way gratifying, not only in the announcement of the completion of the Pacific Telegraph to your enterprising and prosperous city, but that yours, the first message to pass over the line, should express so unmistakably the patriotism and Union-loving sentiments of yourself and people.

"I join with you in the hope that this enterprise may tend to promote the welfare and happiness of all concerned, and that the annihilation of time in our means of communication may also tend to annihilate prejudice, cultivate brotherly love, facilitate commerce, and strengthen the bonds of our once and again to be happy Union.

"With just consideration for your high position, and due respect for you personally,

"I am your obedient servant,

"J. H. WADE,
"Prest. Pac. Tel. Co."

To this President Lincoln replied in the following message:

Washington, D. C., Oct. 20, 1861.

Hon. Frank Fuller, Acting-Governor of Utah.

Sir:—The completion of the Telegraph to Great Salt Lake City is auspicious of the stability and union of the republic. The Government reciprocates your congratulations.

Abraham Lincoln.[23]

All this, it must be conceded, has a strong flavor of patriotism; and about six months later, when President Lincoln through the War Department wired Brigham Young to raise ninety men for three months service "to protect the property of the telegraph and overland mail service, between Forts Bridger and Laramie, to continue in service until the United States troops shall reach the point where their services are needed" (chiefly in the vicinity of Independence Rock), there was commendable dispatch in responding to President Lincoln's call—the only one of the kind made upon the Territory—for in two days the company of cavalry were mustered into service, and on the fourth day, May 1st, were on the march. The *Deseret News* commenting upon the unexpected requisition remarked that "the company will not, according to the specifications of the order, be required to perform any other service than that required for the protection of the mail and telegraph, which may not be expected to be very arduous; but the life of a soldier on the plains cannot be very desirable, whether there be much or little to be done."[24]

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23. *Deseret News* of 23rd Oct., 1861. A little later, namely on the 23rd of October, when the line west of Salt Lake City to San Francisco was opened, the courtesy of sending the first message to the Pacific coast was also accorded to Brigham Young. The entry in his office journal is as follows: "Prest. B. Young accompanied by Bros. Wells, Smith, Clawson, Ellerbeck and others, went to the Telegraph Office, Mr. Street having proffered to Brigham Young the honor of sending the first dispatch, although he [Mr. Street] had been requested to let President Lincoln send the first dispatch; but in consequence of feeling under obligations for the courtesy and help of Prest. Young, he received the preference. Prest. Young sent the first message to H. M. Carpentier, President of the Overland Telegraph Company, at 10 minutes to 7 p. m.; and at 10 minutes past 7, he received a reply from Mr. Carpentier, dated 6 p. m., San Francisco, California." (Hist. of Brigham Young, Oct. 23rd, 1861, pp. 467-8).

24. *Deseret News*, April 30th, 1862. The official call for this company, on which the comment above is made respecting the limitations of the service, said: *"It will not be employed for any offensive operations other than may grow out of the duty herein assigned to it,"* namely, guarding the mail route and the telegraph line in the region designated. Dispatch of L. Thomas, Adjutant-General, War Department, Washington, 28th April, 1862.

The company consisted of one captain—Lot Smith, of "Echo Canon War" fame—two lieutenants, one first sergeant, one quarter-master sergeant, four sergeants, eight corporals, two musicians, two farriers, one saddler, one wagoner, and seventy-two privates—ninety-three all told.[25]

The Mountain Indians during the months of March and April had manifested an ugly disposition by making attacks upon the mail stations, burning some of them, murdering the employes and running off the stock. So extensive and persistent were their operations that there was a suspension of the mail service ordered by the contracting company.[26] At this juncture Acting Territorial Governor Frank Fuller, Chief Justice Kinney, and several prominent gentlemen connected with the mail service and telegraph companies united in recommending to the Secretary of War, at Washington, that the superintendent of Indian affairs for Utah—then James Duane Doty—be authorized to raise a regiment of mounted rangers from the inhabitants of Utah, with officers to be appointed by him, to guard the mail routes and telegraph lines. But three days later Brigham Young, according to Tullidge, wired Utah's delegate in congress to the effect that the militia of the Territory were ready and able to take care of

25. "The names of the officers of this company are as follows: Capt. Lot Smith; 1st Lieut., J. S. Rawlins; 2nd Lieut., J. Q. Knowlton; Orderly-Sergeant, R. H. Attwood; Quartermaster Sergeant, J. M. Barlow; Sergeants, S. H. W. Riter, John P. Weimer, H. O. Spencer, Moses Thurston; Corporals, Seymour B. Young, Newton Myrick, Wm. A. Bringhurst, John Hoagland, Jos. H. Felt, Jno. Neff, Andrew Bigler, Hyrum B. Clemons; Farriers, Ira N. Hinkley, John Helm; Saddler, Francis Platt; Wagoner, Solomon Hale; Musicians, Josiah Eardley, Charles Evans. The company was provided with ten baggage wagons and took with them rations for thirty days. On Monday [several days later] three or four other heavy mule wagons followed, with rations for thirty days more. The balance that will be required will probably be taken out by the trains going to the Missouri river, which are expected to start in about ten days." *Deseret News* of May 7th, 1862.

26. See *Deseret News* of April 23rd, 1862. The *News* strongly suspected that the raids upon mail stations were instigated by renegade whites, and did not consider the trouble as bad as reported. Still such was the apprehension of danger that when Captain Wm. H. Hooper was starting east to present Utah's claims for admission into the Union, it was considered prudent to send a special company of twenty mounted men under command of Col. R. T. Burton to escort him beyond the danger zone. This party left on the 26th of April. (See *Deseret News* of 30th of April, 1862). It was in the instructions of General Wells to Col. Burton that he offered his services to the mail company for the protection of the mails along the line, "until relieved by the troops said to be coming up from the east, or so long as it may be necessary to quiet the Indians who are said to be hostile;" see Wells' instructions to Burton, date of April 25th, 1862. Tullidge's History of Salt Lake City, p. 254); Acting Governor Frank Fuller also gave some official standing to this company by giving it instructions and authorizing it to extend some protection to the U. S. Overland Mail.

all the Indians, and were able and willing to protect the mail route—*"if called upon to do so."*[27] It was evidently upon this hint that President Lincoln acted and made the call directly upon Brigham Young, as the most expeditious way of getting the needed thing done; and so official red tape was ignored, and the man who could do the thing was called upon to do it by the then very practical president of the United States.

The very specific and limited service which this company of men were called upon to render may not be regarded as connected with the Civil War service; national service it was, of course, and very necessary, and it was creditably, and patriotically rendered, since while the command guarded the mail route and telegraph line between Forts Bridger and the Sweet-water, there were no further depredation upon either.[28] But it must also be conceded that there was a large local interest in keeping open and safe both the mail route and the telegraph line. It was as much to the interest of Utah to do so as it was to the interest of the general government. Besides, Brigham Young had been given $10,000 by Mr. H. M. Carpentier, President of the California division, to secure his interest in the protection of said line."[29]

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27. Tullidge's Hist. of Salt Lake City., p. 252.

28. Near the closing days of the term of their enlistment, namely, on the 19th of July, an Indian raid was made upon the ranch of "Jack" Robinson, one of the oldest mountaineers of the Wasatch range, living about six miles north of Fort Bridger, in which two hundred head of horses and mules were run off by a band of renegade Indians from the north. Captain Smith's command then being in the vicinity of Fort Bridger was appealed to on the day following the raid; and in less than two hours from receiving the word, sixty-two men were in the saddle and on the trail of the thieves. They followed the trail for eight days, going as far north as the head of Snake river valley, near the Three Tetons, about one hundred and thirty-five miles northeast of Fort Hall; but they were not able to overtake the Indians. The chase was a most exciting and trying one, and constituted the chief adventure of the command while in the service. The food supply gave out out several days before the trail was abandoned. High waters in many streams had to be contended with; and Donald McNichol, in crossing one of these, a fork of Snake river, was lost, man and horse, in the turbulent stream, the only fatality which occurred in the command while on duty. This detachment of the command returned to Salt Lake City on the 9th of August—other divisions of the force had preceded it—and the *News* announced that the company would be mustered out of service on August 14th. (See *Deseret News* of Aug. 13th, where the story of this Expedition to the north is given in great detail).

29. Hist. of Brigham Young, *Ms.*, entry of Aug. 15, 1861, p. 364; also letter of Young to Geo. Q. Cannon, *Mill. Star,* Vol. XXIII, p. 822. Another item of interest connected with the telegraph line construction is the following incident: President Young at a private meeting of leading Church authorities in the Historian's office, on the evening of Dec. 15th, 1861, "said he had received over $11,000 in gold for the telegraph poles which he had set up or delivered on the lines.

In this period there was very earnest, and I may say a very bold, effort made to secure statehood for Utah, that has been frequently referred to, and not without reason, as evidence of the loyalty of the Latter-day Saints to the government of the United States. Writing of a probable movement to bring Utah into the Union when so many of the states were preparing to get out of it, delegate Wm. H. Hooper said—

"I think three-quarters of the Republicans of the House would vote for our admission; but I may be mistaken. Many say they would gladly "swap" the Gulf states for Utah. I tell them that *we show our loyalty by trying to get in, while others are trying to get out,* notwithsanding our grievances, which are far greater than those of any of the seceding states; *but that I consider we can redress our grievances better in the Union than out of it;* at least we'll give our worthy Uncle an opportunity of engrafting us into his family; and if he don't want us, we must then carve out our own future."[30]

About a year later, when the subject of statehood was being agitated in the Utah Legislature, Geo. A. Smith, a member of the Assembly, presented to President Young a draft of an act for the calling of a convention to form a state constitution. The prophet approved the measure. "And let the convention," said he, "ask the general government to admit us as a state, and if they don't do it, tell them that we will organize a state government and control. If we do not do something to head (off) this military operation, they will afflict us, [and] the whole country will be a military despotism. * * * * * *We must soon organize a government for ourselves, and take care of ourselves.*"[31]

The act calling the convention was vetoed by the then Governor of Utah,[32] John W. Dawson—of whom more later—but

He said 'I did not touch that gold with my fingers or flesh until it was all paid in. I then put it in a vessel of water, cleaned it, and said what words I wished over it [doubtless words of consecration]. I then delivered every dime of it over for tithing. I have not used one farthing of it for my own use. No one knows anything about it, excepting my clerks, and I don't want you to say anything about it." From Woodruff's Journal, *Ms.*, of 15th of Dec., 1861, also copied into Hist. of Brigham Young, *Ms.*, date of entry, p. 535.

30. Letter of Hooper to Geo. Q. Cannon, under date of Dec. 16, 1860. *Mill. Star,* Vol. XXIII, p. 29-30.

31. Wilford Woodruff's journal, *Ms.*, entry for 5th Dec., 1861. Also in Hist. of Brigham Young, *Ms.* of same date, p. 536.

32. *Deseret News* of Dec. 25, 1861.

the matter was immediately taken up by the citizens outside of the legislature. Mass meetings were called in all the towns and settlements to elect delegates to a constitutional convention according to the apportionment provided in the recently vetoed enactment. The meetings throughout were enthusiastic. The one in Salt Lake City was held in the Old Tabernacle, at which there were present some three thousand citizens. Edward Hunter, Presiding Bishop of the Church, was the chairman, Brigham Young and Heber C. Kimball led in the invocation and benediction. The committee on resolutions and address were D. H. Wells, William H. Hooper, John Taylor, George A. Smith, and Abraham O. Smoot. Needless to say that the address produced by this committee was an able review of the past and the then prevailing conditions, which made up the sum of Mormon grievances against the continuance of which there was made earnest and manly protest; and to remove which the solemn demand was again made for the extention to the Utah community the undoubted American right of local self-government.[33]

On the 20th of January the delegates to the convention met and organized by choosing D. H. Wells for President, and William Clayton for Secretary and a full set of officers. The chief work of the convention was assigned to two committees, one to draft a constitution to be submitted to the convention;[34] and a second to draft a Memorial to Congress to accompany the presentation of the constitution.[35]

By the 23d of January a constitution was adopted and provisions made for its submission to the vote of the people on the

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33. The concluding resolutions were as follows:

"Resolved, That uniformly selecting and transporting men from distant states into our territory to fill its offices, presuming as it does that we have no men in our Territory fit, capable or worthy to fill them, is a standing insult to the intelligence and patriotism of this community, and devoid alike of good policy and common justice.

"Resolved, That we can see no other or better way to avoid the continual recurrence of these political difficulties which have so beset our Territorial progress, than to abolish our Territorial form of government and trust that Congress now in session, will hearken unto our application for admission into the Union, and will grant us speedy and favorable action thereon." (*Deseret News* of Jan. 8th, 1862, where the address, resolutions and proceedings in full will be found).

34. Messrs. Geo. A. Smith, Albert Carrington, Elias Smith, Zerubbable Snow and John Taylor constituted this committee.

35. James Ferguson, Wilford Woodruff, Samuel W. Richards, Lorenzo Snow, and Leonard E. Harrington comprised the Committee on Memorial. See Convention's proceedings, *Deseret News* of Jan. 22, 1862.

first Monday in March following, at which time also there was to be an election of a Governor, Lieutenant Governor, Representative to Congress, and Members of the General Assembly "as provided for in the constitution." The name of the state was to be *Deseret.* The convention near the close of its last session placed in nomination "for the consideration of the electors," the following candidates:

For Governor, Brigham Young.

For Lieutenant Governor, Heber C. Kimball.

For Member of Congress, John M. Bernhisel.[36]

All free, white, male citizens of the United States over twenty one years of age and six months residence in the Territory constituted the electorate.

The officially certified returns of the election, with three counties not reported,[37] shows that the constitution was adopted by a vote of 9,879; and the state officers nominated by the convention were elected practically by the same vote. It was estimated that the vote of the three remaining counties would bring the aggregate vote for the constitution and these state officers up to 13,000.[38]

There were no votes against the Constitution or the state officers. The members of the Legislature were elected in their respective senatorial and representative districts by practically the same number of votes cast in the districts severally for the Constitution.

The Constitution adopted provided that the first meeting of the Legislature should be as directed by proclamation of the Governor-elect, and subsequent sessions as provided by law. Accordingly Governor-elect Brigham Young called the Legislature of the state to meet on Monday, the 14th day of April,[39] at which time he delivered his message to the organized assembly. Quoting Hon. W. H. Seward, who said "The Constitution prescribes only two qualifications for new states; namely, a substantial

36. *Deseret News* of Jan. 29th. The full text of the Constitution signed by the sixty-six delegates constituting the convention will be found in the *News* of the same date.

37. These were Washington, Iron, and Green counties.

38. See *Deseret News* Editorial, and tabulated returns of the election, impression of March 19th, 1862.

39. See Proclamation in *Deseret News* of March 19th.

civil community and a Republican government,"[40] Governor Young contended that Utah had both, and was therefore entitled to admission. He pointed out that Utah's admission to the Union would relieve the government of the expense of maintaining the Territorial government of Utah.[41] He approved of the Territorial Legislative act which the year before had assumed the payment of Utah's quota of the direct national tax (the war tax), "and without question," said the message, "this general assembly [i. e. of the State of Deseret], should they deem further action on that subject necessary, will, with equal patriotism, adopt such measures as will best sustain our government in its financial affairs so far as our apportionment and every Constitutional requirement are concerned." "But," he continued, "I object to any action being taken in this or any other matter, except on the ground of right and justice, and in no wise as an evidence of our loyalty, for it has ofttimes been severely tested, and has on every occasion, emerged from the test with unsullied purity. *We are not here as aliens from our government, but we are tried and firm supporters of the Constitution, and every constitutional right.*[42]

The Legislature remained in session but four days. They elected Wm. H. Hooper and George Q. Cannon United States Senators from the State of Deseret; also the following state officers made elective by the General Assembly under the Constitution: Secretary of State (Daniel H. Wells;) Treasurer, (David O. Calder;) Auditor of Public Accounts (William Clayton;) Attorney General (Aurelius Miner;) Chief Justice of the Supreme court (Elias Smith;) two Associate Justices (Z. Snow

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40. The speech of Seward was delivered on the floor of the Senate on the 9th of April, 1856, arguing for the admission of Kansas, and against the notion that a certain prescribed number of population was necessary to admission.

41. At the time this amounted to $34,000 per annum. "When millions of dollars are being disbursed weekly, these thousands," said the message, may seem small in contrast; but in the great majority of instances those millions have been collected in much smaller amounts than the thousands of Utah's quota.

42. *Deseret News* of April 16th, 1862, where the message is given in full. The remarks with reference to paying the direct tax were made as an answer to Governor Dawson who had but shortly before urged upon the Territorial legislature an enactment to provide for the collection of this national tax—"and thus put yourselves before the world," said he, "vindicated of the charge of disloyalty which, I regret to say, has obtained some credence in portions of the United States." (Gov. Dawson's message, *Deseret News* of Dec. 18th, 1861).

and Seth M. Blair.)[43] There were several other legislative enactments which at least manifest great confidence that the long desired state government would be granted.[44]

Senator-elect Hooper started from Salt Lake City for the national capitol in April, under a special escort of mounted men as far east as the north fork of the Platte river. Geo. Q. Cannon, the other Senator-elect, was in England at the time of his election, acting in the presidency of the European mission. He left Liverpool for Washington in the middle of May, having been summoned by cablegram to join his colleague at the national capitol, and work for Utah's admission into the Union. Delegate Bernhisel presented the Constitution in the House on the 9th of June, with the accompanying memorial for admission. The matter was referred to the Committee on Territories. The following day the Constitution and Memorial were presented in the Senate by the Vice President; and Senator Latham, of California, moved to print these documents and to admit the Senators-elect to the floor of the Senate. The matter was referred to the Senate committee on Territories. Next day Senator Latham offered a resolution to admit *Messrs.* Hooper and Cannon to the floor of the Senate, which was laid over and nothing further came of it.[45] On the 22nd of December, Hon. James M. Ashley, of Ohio, chairman of the House Committee on Territories reported enabling acts for the admission of Nebraska, Colorado, Utah and Nevada, but nothing came of it so far as Utah was concerned.[46] In accordance with the Act passed by the General

43. Proceeding of the General Assembly will be found in *Deseret News* impressions of 16th and 23rd of April, 1862.

44. "The following are the titles of the acts passed by the General Assembly, which have been approved by the Governor:

"An Act relating to the duties of the Secretary of State;"

"An Act in relation to Elections;"

"An Act locating the seat of Government of the State of Deseret;"

"An Act concerning the General Assembly;"

"An Act making the laws of the Territory of Utah in force in the State of Deseret;"

"An act defining the Judicial Circuits and the places of holding circuit courts;"

"An Act providing for publishing and distributing the laws enacted by the General Assembly;"

"An Act providing for appeals from the Probate and Circuit Courts;"

"An Act concerning the Supreme Court of the State of Deseret;"

"An Act in relation to Circuit Judges." (*Deseret News,* Vol. XI, p. 340).

45. *Desert News* of July 2nd, 1862.

46. See Message of Gov. Grigham Young to the general assembly of the "State of Deseret." *Deseret News* of Jan. 21st, 1863.

Assembly of Deseret, which elected Senators Hooper and Cannon, that assembly again met at the Old Council House in Salt Lake City, and "Governor Young" delivered a message to them, devoted chiefly to the recital of the several steps taken in Congress on the application of Utah for admission; and which after receiving, the "General Assembly" adjourned *sine die.*[47]

Thus ended the rather heroic effort of Utah to get into the Union when so many of the sovereign states were trying to get out, and keep out.

It was while these efforts to get into the Union were at their height, that Congress not only refused statehood to Utah, but passed the Anti-polygamy, which President Lincoln approved on the 8th of July 1862.

This effort to get into the Union and bear with the other loyal states her full share of the burdens of maintaining the Union, when its fate hung tremulously in the balance, testifies strongly for the patriotism of the Latter-day Saint community in Utah. Still it must be conceded that there is *per contra data* that may not be omitted from consideration. It must be remembered that Joseph Smith when a candidate for President of the United States offered a solution to the question of Negro slavery—the purchase of the slaves by the general government, at a fair price, paying for them out of the surplus revenue arising from the sale of public lands[48]—this from the view point of the Saints would have settled the slavery question, and with that settled there would have arisen no question of secession to vex the nation and threaten its dismemberment. Their Prophet's plan had been rejected. In 1832 the Prophet had received a relation in which was predicted in a most remarkable manner the division between the northern and the southern states, resulting in war,[49] and terminating in the death and misery of many souls.

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47. For Gov. Young's message, etc., see *Deseret News* of Jan. 21st, 1863, and *News* Editorial of same date.

48. See Joseph Smith's Views of the Powers and Policy of the Government of the U. S. Journal Hist. of the Church, Vol. VI, p. 205. See also this History, Chapter XLV, note 3, and Chapter LXVII, where the subject is considered at length.

49. "Verily, thus saith the Lord, concerning the wars that will shortly come to pass, beginning at the rebellion of South Carolina, which will eventually terminate in the death and misery of many souls.

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What should be their attitude towards a conflict thus predicted, as a judgment upon their nation, would naturally present itself to the minds of the Latter-day Saints as constituting a very grave problem.[50]

Moreover, they themselves by a combination of circumstances, already considered in these pages, had been virtually expatriated from the United States, the general government the meanwhile manifesting no interest in the maintenance of their rights as citizens, or their fate as human beings. That government had but just concluded a hostile demonstration against them in the Utah Expedition affair, to the last manifesting its distrust of them by destroying the munitions of war left over from that Expedition, rather than to entrust it to a community who stood so much in need of it for efficient equipment against surrounding savage tribes.

Under all these circumstances it is not surprising to find a feeling some times vigorously and ill advisedly expressed, that the war between the States, arising out of the slavery question, was a matter in which the Latter-day Saints need have no particular concern; and as a result the attitude of aloofness from the conflict was assumed, and a satisfaction at their isolation from the scenes of destruction and carnage incident to the great and dreadful war was frequently voiced.[51]

This position was manifest in both speech and action. When the Territory's apportionment of the direct national tax, amounting to $26,982, to be collected annually, either through

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"For behold, the Southern States shall be divided against the Northern States, and the Southern States will call on other nations, even the nation of Great Britain, as it is called, and they shall also call upon other nations, in order to defend themselves against other nations; and thus war shall be poured out upon all nations." (Doctrine and Covenants, Sec. 87:1-3). See also this History, Ch. XXI, and notes 1, 2, 3 and 4 where the matter is discussed at length.

50. "The dismemberment of our common country we regard as the greatest of crimes which can be committed against human laws; *but the judgment of the Almighty must be satisfied*, and then peace will follow." From an address to the People of Utah, by John Taylor and Geo. A. Smith on the subject of preparing for statehood, 31st Dec., 1861. Hist. Brigham Young, *Ms.*, for that year, p. 588.

51. "We can now realize, more fully, the blessings attendant upon our being driven to these valleys," said Brigham Young at the April conference of the Church in 1861; "for had we remained (i. e. in the states) we should have been obliged to mingle, to some extent, in the turmoil and strife that now afflict this nation." Minutes of Conference, *Deseret News* of April 10th, 1861; and such sentiments were frequently repeated. See *Journal of Discourses, Deseret News,* and *Mill. Star,* for the years 1860-1864, *passim.*

officers of the Territory's own appointing or through federal officers who might be appointed under the federal act itself,[52] the Legislature assumed the Territory's quota of the direct tax, and imposed a territorial tax on all property, of one per cent., two-thirds of which was to be paid in gold and silver coin to meet the requirements of the federal law for payment in coin. But the same Legislature also memoralized Congress to remit the quota of the direct tax assessed against Utah.[53]

The Territory sent no volunteers into the Civil War service; and her whole attitude is well described in the following passage from the formal address of Elder John Taylor at the 4th of July Celebration in 1861. After tracing historically what he

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52. The direct tax law was passed Apl. 5th, 1861.

53. The reason assigned for this action was the great difficulty of raising the tax in coin. "It has been nearly impossible," wrote Geo. A. Smith to Delegate John M. Bernhisel—again by this time Utah's delegate in Congress"—to collect taxes in this territory in coin. The inhabitants have an abundance of breadstuffs, stock and other like property, but money as a circulating medium, is, as you are well aware, exceedingly scarce in the Territory. The act of Congress imposing the Direct Tax in the Territory, could not be collected on any property but the houses worth over $500 each. This would have laid the burden of the whole tax on about two hundred *persons*. And it is doubtful whether property could be sold for sufficient to cover the tax. The legislature therefore concluded to assess and lay upon all property, taxable by the Territory." (The above letter dated Jan. 18, 1862, is copied into Hist. of Brigham Young, *Ms.*, p. 261-3. See also *Deseret News* of Jan. 22nd, 1862). But, as stated above, the legislature prayed for a remission of the tax.

The consideration of this question by the legislature discovered a remarkable state of things in Utah respecting the status of the citizens of the territory in relation to property, as will appear from the statement of Mr. West, chairman of the special committee having in hand the direct tax matter: "The direct tax laid by the United States is a tax laid on real property and the improvements thereon. To this there is the privilege given to each State or Territory to assume, assess, and collect the said direct tax in their own way and manner. The tax being laid upon real property and its improvements and buildings and the privilege for the Territory to assess and collect the same in their own way and manner, confines our legislative action thereon to assessing and collecting said tax upon the property made taxable by Congress. Another and greater difficulty which the committee had to encounter was the well known fact that all the lands, of every description, in this Territory, are lands, the Indian title of which is not extinguished. While the paramount title of which lands are in the Federal Government, and while said act imposing said direct tax specially exempts all lands and property made taxable by said act, belonging to the United States, the Territory is left in the anomalous predicament of not having a foot of taxable lands, or freehold resident within her borders! Thus situated are our citizens, with a direct tax of nearly $27,000 imposed upon them. The tax is laid upon a kind and description of property which does not exist or lay in the Territory." (Proceedings of the Legislature, *Deseret News* of Jan. 1st, 1862). The tax was not remitted, however, and although it was taxation without representation—or at least without representation worthy of that name,—it was collected from the people who paid it without protest or complaint. See speech of Judge Kinney, Utah's Delegate from Utah, Congressional Globe of 23d of March, 1864.

considered the causes leading "to the fall and dismemberment of the nation," he said:

"It may now be proper to inquire what part shall we take in the present difficulties? [the war then raging] "We do not wish to dodge any of these questions. We have ever taken a manly, straightforward path, and always expect to do so. In regard to the present strife, it is a warfare among brothers. We have neither inaugurated it, nor assisted in its inauguration; both Parties, as already shown, have violated their Constitutional obligations. No parties in the United States have suffered more frequently and grievously than we have, the violation of our national compact. We have frequently been mobbed, pillaged and plundered, without redress. We have been hunted like the deer on the mountains, our men have been whipped, banished, imprisoned and put to death without a reason. We have been driven from city to city, from state to state for no just cause or complaint. We have been banished from the pale of what is termed civilization and forced to make a home in the desert wastes." * * * "Shall we join the North to fight against the South? No! Shall we join the South against the North? As emphatically, No! Why? They have both as before shown, brought it upon themselves, and we have had no hand in the matter. Whigs, Democrats, Americans and Republicans have all in turn endeavored to stain their hands in innocent blood, and whatever others may do, we cannot conscientiously help to tear down the fabric we are sworn to uphold. We know no North, no South, no East, no West; we abide strictly and positively by the Constitution, and cannot by the intrigues or sophism of either party, be cajoled into any other attitude"[54]

This attitude with reference to the great American conflict, is frequently asserted in the writings and in the Old Tabernacle speeches of leading Church men,—but often in more emphatic terms than are here employed[55]—until it is forced upon one as representing the habitual and prevailing mental attitude of the community upon the subject of the war between the states, unless there could be a full and complete recognition of Utah's

54. *Deseret News* of July 10th, 1861.

55. See Discourse by Brigham Young, April 6th, 1861, Journal of Discourses, Vol. IX, pp. 4-5.The same Discourses of 28th July, 1861, *Deseret News* of Oct. 2nd, 1861—also Journal of Discourses, Vol. IX, p. 137, *et seq.* The same Discourse March 8th, 1863, Journal of Discourses, Vol. X, pp. 105-110, *et passim* throughout the volume. Discourse of Geo. A. Smith, Apl. 6th, 1861, Journal of Discourse, Vol. X, p. 15, *et seq.*

right to community self government, guaranteed by admission into the sisterhood of states as one of the free, equal and sovereign states of that Union. In other words if they were to share the burdens of the Union, justice demanded that they should have full participation in its benefits.

NOTE 1. SCHEDULE OF THE U. S. CAMPAIGN EXPENSES AGAINST THE MORMONS, 1857-8.

Soldiers marched into the Territory	4,600	
Quartermaster's men, teamsters and other government employees	3,200	
Contractors, Teamsters and employees....	4,930	12,730
Brig. Gen. Harney's Brigade placed en route for Utah, but recalled after the peace ...	2,000	
Employees of Gen. Harney's Brigade	700	2,700
Number of men in pay of the Government,	15,430	
Suttlers, Liquor dealers and Merchants, their Agents, Teamsters and employees	1,500	
Professional gamblers	170	1,670
Aggregate of men employed	17,100	
Regular troops employed in the Campaign	6,600	
Other employees of the Government and camp followers	10,500	17,100
Number of Contractors wagons		4,006
12 oxen to each wagon	48,072	
Extra work oxen, one to each wagon	4,006	52,078
Suttlers, Whiskey dealers and Merchants wagons		1,200
12 oxen to the wagon		14,400
Number of mules employed by the Government		19,200
Number of baggage wagons		2,400
Amount of Russell & Co.'s freight bills...	$5,408,100	
Cost of Wagons, mules, harness, &c., for 2,400 wagons	$3,600,000	
	$9,008,100	

"The other expenses of this campaign must be immense, when we take into account the purchase money for provisions, groceries, arms, ammunition, hospital stoves, dragoon and officers horses and equipages, clothing, shoes, steam boat and other freightage, pay for officers, men and other employees, building huts and quarters at Camp Floyd; picking and stealing, waste and stealings of Agents and Contractors, Paymasters, Quartermasters, &c., &c.

"It is very singular that the whole of this useless expenditure, was made too, * * * when the National Treasury was empty; and the Government under the necessity of borrowing this money at a high per cent. to sustain this unholy war; the receipts of the Treasury being insufficient during the whole time to pay the current expenses of the Government.

"The Mormon war debt is variously estimated at from twenty to forty millions.

"The ten thousand five hundred employees and camp followers were armed with rifles, revolvers and knives, and drilled to protect their trains, and would be much more effective in an engagement than the regulars, being generally American citizens and used to the rifles; whereas a great portion of the regular army, are foreigners who were enlisted soon after landing, when intoxicated or in a state of destitution; and unaccustomed to the use of fire arms, and notwithstanding having been drilled, handle their arms imperfectly compared with western men." (Hist. Brigham Young *Ms.*, entry for December, 1858, pp. 1149-50-51,)

"DISTRIBUTION OF THE FORCES AGAINST UTAH.

Col. Hoffman's regiment ordered to Oregon via. California	800 men
Col. Lorings mounted rifles, ordered to New Mexico, by way of the Elk Mountains	400 men
Col. Bee's volunteers or starred battalion marched to Leavenworth and discharged	400 men
Brig. Gen. Harney's brigade recalled	2000 do.
Supposed to have deserted or time expired	700 do.
	4,300 men

"Which leaves two thousand three hundred regular soldiers with about two hundred recruits enlisted from among the teamsters and employees, since winter set in; which make about 2,500 soldiers in the service of the United States in this Territory. [Dec., 1858].

There has been a steady stream of Teamsters and employees leaving the Territory this fall, towards the east, west, north and south, and probably 3,000 remain from necessity and all of these are anxious to get away. (Hist. of Brigham Young, December 13th, 1858, P. 1151.)

NOTE 2. THE ASSAULT UPON THE HENNIFER BROTHERS IN THE U. S. ARMY CAMP ON YELLOW CREEK: These Hennifer brothers were enroute to some point between Bridger and Green river where they proposed to erect a blacksmith shop to accommodate passing emigrant trains. Overtaking the retiring U. S. troops from Camp Floyd at their encampment on Yellow Creek, the Hennifers asked permission of the commanding officers to camp within the lines, as they had extra provisions of ranch butter and eggs they desired an opportunity to dispose of to those of the camp who might want to buy. The privilege was granted the Hennifers, and a place designated by an officer where they might set their wagon. Soon after nightfall assistant surgean Edward Covey and Lieutenant Ebenezer N. Gay, and others of the camp, went to the Hennifer wagon, and a squad of twelve soldiers seizing upon William Hennifer, by order of Dr. Covey, stripped him of his clothing and tied him to the wheel of his wagon, fastening his feet at the bottom and his hands at the top of the wheel. Dr. Covey then with a heavy riding whip—such as was used in the west at that time,—the handle of braided raw hide strips with four strands two feet in length and knotted—proceeded to inflict a hundred or more lashes upon the bare flesh of his victim, "each stroke with all the force he could exercise—the suffering man all the while uttering loud cries of anguish and pleading for mercy."—Hennifer fainted after about seventy lashes had been administered, but the brutal whipping went on just the same, varied only by beating him over the head with the butt of the whip.

Lieutenant Gay several times suggested during the whipping that their victim be shot. But no one being willing, apparently, to act upon what would have been, under the circumstances a merciful act, he called upon two army mule teamsters standing in the crowd with their long, heavy mule whips, "to give him two for me." Which order was obeyed, the brutes giving the victim two blows each according to the most approved style of whipping mules, burying the ends of the lashes each time in the flesh. "Gay's command was repeated several times and obeyed by the muleteers, while Hennifer remained in an unconscious state." An assault was also made by the crowd upon James Hennifer by order of Dr. Covey, but rolling down the steep em-

bankment of Yellow Creek with several of his assailants into the stream, he escaped without great injury. Two other Mormons in the camp, William P. Appleby and William Ward, witnesses to this cruelty, were denounced as Mormons, and as being worthy of like treatment, but mingling with the crowd they soon afterwards escaped from the camp.

William Hennifer after his beating was untied from the wheel and left to shift for himself—no one in all the crowd that witnessed the affair daring to manifest any pity for him, or render him any assistance. Finally, at his own request, he was conducted outside the lines, a sargent and three or four soldiers being his guard. The soldiers while marching him out of camp began to strike and abuse him until the sargent threatened them with violence if they did not desist. Once outside the lines Hennifer made his way to the Woodward mail station, where he was cared for until his brother and friends arrived to take him in charge. His shop-plant and tools and the goods left in the wagon—valued at from twelve to fifteen hundred dollars—were all destroyed by the soldiers and teamsters of the camp. At the conclusion of the whipping, Dr. Covey said to his suffering victim, with an accompaniment of oaths—

"Go and tell Brigham Young that it was I who whipped you, and that if he had been here I would have whipped him also."

The reason for this assault was as stated in the text of this History, *viz.*, that William Hennifer was a member of the Salt Lake City police force when Dr. Covey and some petty officers from Camp Floyd were arrested for riot and assault upon the police in Salt Lake City. The incident as related by William P. Appleby and William Ward, eye witnesses to the affair,—is detailed at length in *Deseret News* of 6th June, 1860.

AMERICANA

February, 1914

A Northern Statesman's Solution of some of the Civil War Problems

BY DUANE MOWRY, MILWAUKEE, WIS.

THE surrender of General Robert E. Lee at Appomattox on the ninth of April, 1865, and the assassination of President Lincoln on the fourteenth of April in the same year, brought home to the American people, and, particularly, to the Congress and the incoming administration, a condition of public affairs unparalleled in the history of nations, both unexpected and most extraordinary. In the North the news of General Lee's surrender was heralded with universal rejoicing, while in the South there were evidences everywhere of universal disappointment and sorrow, not, indeed, because the end of the fearful conflict was approaching, for that, in and of itself, was alike welcomed in both the North and the South, but because the fact of that surrender gave the South notice that the cause for which it had so valiantly struggled, fought and died, was now, no doubt, forever lost, a cause, let us be honest enough to admit, which was most near and dear to the Southern heart and soul, and to its every existence. In the South, the assassination of President Lincoln was received with mingled feelings of gladness, of sorrow, and of consternation, of gladness, because they thought that their greatest enemy and the foe of their most cherished institution, human slavery, was now disposed of forever; of sorrow, because they knew, some of them, at least, well knew, that Mr. Lincoln was not a personal enemy, was not malicious, and did what he did because he firmly believed it was his sworn duty to do so; and of consternation, because they did not know what the future had in store for them,

in other words, the administration of President Johnson was yet a closed book to them, while in the North the profound sorrow at the violent death of the country's ruler knew no bounds, but beyond that feeling, no thought had been given as to the problems which the war and the new condition of affairs had now thrust upon a new and untried president, his advisors and friends.

One cannot easily appreciate the feelings that existed everywhere at this critical period of our country's history, feelings of joy and sorrow, of hope and fear. New questions of public concern were now arising which must be answered. New and difficult problems of governmental policy must now be met and solved. The outlook was not altogether encouraging. But the future must be met as befits a great and victorious people.

Events had not progressed far before it was evident that a readjustment of parties, particularly in the North, must, of necessity, be forthcoming. And just what that alignment would be no one would predict, and the outcome was still more uncertain.

It was quite apparent, however, that there was to be a marked divergence of political parties in the North, now that the war was at an end. Men of all political parties and of no particular shade of political belief, men of all religious creeds and of no religious belief, had enlisted freely and voluntarily in the North in the effort to suppress the outbreak in the South. Men of all grades of social and financial standing had also responded to President Lincoln's call for troops. While there was not unanimity of feeling that the war was necessary, there did seem to be present a widespread sentiment that the Union must be preserved at whatever sacrifice of life or property. Loyal men in the North forgot the behests of party in responding to the larger and louder call of patriotic duty[1]

1. Republicans, Democrats and Abolitionists, all responded to the call to arms in order to put down the rebellion; but all did not believe that the administration was exactly right in all of its views and policies. From a letter written to Senator Doolittle, dated Ogdensburg, N. Y., May 20, 1861, are these words: "The clouds look dark and red, but let us not be disturbed with apprenhensions. God reigns, and with what patriotism has he inspired the people of the Free States. 'The interpretation is sure'." From another letter dated Detroit, Mich., Sept. 5, 1862, which extends condolences to Senator Doolittle for the loss of his son in the army are these words: "My eldest has just gone with his Reg't to Washington. It was

The great loyal heart of the North, which was for the Union "first, last, and always," now that the war had been successfully concluded in favor of its preservation, was not, unanimously, in favor of pursuing the victory already won on the field of battle into the peaceful walks of civic life. Instead, there was present and growing a well-defined sentiment in favor of a broad and humane policy of reconciliation and reconstruction, a policy which would at once bring back into national good fellowship and loyalty to the Stars and Stripes the seceding brethren of the Southern states. This feeling in the North was well-defined and unmistakable, but it was not universal, more's the pity, nor was it a controlling or leading sentiment, generally. Nevertheless, the progress of events had not moved far before it was to be seen, as before indicated, that two sets or coteries of public men in the North, who had heretofore worked together harmoniously, side by side, in the suppression of the rebellion, were no longer to remain in the same political atmosphere. The cleavage was clear, pronounced and undoubted.

Prominent among the men in official power at the time mentioned, who chose to follow what he believed to be the command of public duty rather than the behests of political expediency, was the Honorable James Rood Doolittle, a United States senator from the territory of the North, from the Republican and anti-slavery state of Wisconsin. When Mr. Doolittle entered the senate in 1857, he was a most uncompromising opponent of the extension of slavery. And his hatred of the institution continued to the day of his death. He was, moreover, in favor of drastic measures in dealing with the rebellion. So highly were his counsels valued by the party in power, that he became the confidant of both Mr. Lincoln and Mr. Johnson. In a letter to the writer, Mr. Lincoln's son assures him that Judge Doolittle

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his duty, and if he falls, I can only thank God I have two more remaining whom I will sacrifice on the same altar, if necessary to put down the rebellion & uphold the national honor." From still another letter from a resident of Kentucky under date of October 17 1861, are these words: "I am glad to see your gallant state (Wis.) taking so active and honorable a part in the war, and in the defense of the Union. . . . We are all here for Fremont's position in his proclamation, and trust Congress will enable 'Honest old Abe' to take that step this winter. It is surely the true ground. Ky. stands where I have so long labored to place her, where her true interests and honor could have a fair ventilation. Her choice of ends was, of course, in the direction of Liberty and Justice and Union."

was regarded by his father as one of his most valued and trusted confidential advisers and friends. And in a letter to his wife, Mr. Doolittle says, in 1865, that "Mr. Johnson, King and myself are a trio whose hearts and heads sympathize more closely than any other trio in America just now."[2]

From the foregoing it will be seen that Senator Doolittle occupied a prominent and leading place in the councils of the nation during the period of, and that succeeding, the civil war. It was not formal, merely. It was active, intimate and personal. Moreover, his later senatorial career cost him political prestige at home, in Wisconsin, finally relegating him to private life.[3] It was a great blow to his political ambition. But he could not do otherwise without doing violence to his conceptions of public duty.

Mr. Doolittle maintained that the confederate states, so called, were never out of the Union; that the Union was always unbroken; that neither peaceably nor forceably could any State withdraw from the Union; that there was no constitutional provision permitting a State to peaceably withdraw; that when the confederate states tried to withdraw by arms, they were crushed in the field of battle and their armies defeated, "not one star obscured, nor one stripe erased."[4]

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2. The "King" referred to in the above quotation was the Hon. Preston King, of New York. In the same letter to his wife, dated April 26, but eight days after the assassination of President Lincoln, Senator Doolittle also writes: "Johnson is all right . . . God is still with us. O, if we are only true to the Country, all will yet be safe."

3. The Legislature of Wisconsin in 1866 passed resolutions requesting Mr. Doolittle to resign his position as Senator, alleging as reasons therefore, inconsistency, refusal to obey instructions, having united with the President to "oppose measures to secure peace, liberty and justice among all the people," maintaining the right of representation in "Congress of the southern people as inhabitants of States," maintaining the Lincoln-Johnson policy of reconstruction, and deserting the cause of human rights and Republican government. Resolutions were also adopted in Milwaukee and elsewhere in Wisconsin disapproving Mr. Doolittle's attitude upon public questions affecting the South.

4. In a letter "to the president" marked "private" and dated Racine, Wis., Sept. 9, 1865, several months before the convening of the first session of the 39th Congress, Mr. Doolittle says: "Enclosed I send you the resolutions of our (Wisconsin) Union Convention. On my return from Washington, I found here a good deal of "steam on," and with those who are carried away with the crazy idea which the fertile brain of Wendell Phillips has engendered upon the brains of Sumner, Chase and Greeley, viz: that the States are out of the Union—no longer *States* under the Constitution—but mere conquered *territories*, and that therefore the government has the right to impose negro suffrage or any other terms upon them, as a condition precedent to their being recognized as States, there was a most determined effort to be made to force it upon the Convention. Unwelcome as it always is, to

Naturally, therefore, when the Hon. Thaddeus Stevens, of Pennsylvania, introduced in the House of Representatievs, on the first day of the first session of the Thirty-Ninth Congress, December 4, 1865, a resolution providing for a joint committee of fifteen members, nine of whom should be members of the

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me, to engage in controversies with those who profess to be our friends, even when the *animus* which inspires them is *war* upon the administration, I still determined to go and take the bull by the horns, and did so.

"The majority report submitted by me was carried triumphantly. The minority report made by Gen'l Paine, (not our member of Congress, but an old leader of the Abolitionists of 25 years standing) after a pretty warm discussion, was laid on the table, by a majority so great they did not call the ayes and noes.

"The platform in every resolution, speaks of the Union unbroken; maintains that the States could not either *forcibly or peaceably* be carried out of the Union; re-affirms this as the only ground on which we stood in the beginning, and have stood through all the war. The rebels could not go out from under the Constitution peaceably, and when they tried it by arms, we crushed their armies and defeated them. The Union still remains, 'not one star obscured, nor one stripe erased.'

"I wish you could find time to read and weigh carefully each resolution. I deem them important for what they *do say,* and perhaps still more so for what they do *not* 'says.'"

The following high endorsement of the position taken as indicated in the text and in letter to the President as above, from the Hon. Edward Bates, President Lincoln's Attorney General, is most opportune and significant. It reads: "Corner of Morgan & Leffingwell Sts., St. Louis, October 10, 1865. Hon. J. R. Doolittle, U. S. Senate, at Racine, Wis. Dear Sir:—I am a retired man, wholly private, & have been in very low health for the past half year, & withal, am old. You are comparatively young; conspicuously engaged in the active strifes of party politics; bold, ardent & full of talent. I saw (in occasonal items in the newspapers) that you were likely to be involved in sharp controversy; and (from my knowledge of your public character & of your course as a Senator) I considered inevitable, a fierce struggle between you & the extreme radicals, in & out of your own State.

"Respecting you very highly, upon personal knowledge, & having a strong bias towards your side of the controversy in which I suppose you to be engaged, I should have written to you some time ago, but for the fear that my letters might be felt as an intrusion, by one whose time & mind are so actively engaged upon matters of pressing interest. I have just seen a gentleman (perhaps known to you, at Washington, as Commissioner of Emigration, Rev'd James Mitchell, late of Ind'a) who urges me to write to you, supposing it possible that I may be able to aid you somewhat, in your pending strife, if only by words of encouragement & sympathy. With these inducements, I venture to write to you.

"I have witnessed, with sorrow & shame, the open abuse of power & wanton disregard of principle, by the extreme radicals, in the nation & in the sections; and I have felt (it) to be my duty to denounce some of those abuses. This I did to the people of my own State, by articles printed in the newspapers with my name attached, and also by letters to individuals in various parts of the North & East—from Baltimore to New York, & from Chicago to Boston. I see that the extreme radicals are nothing short of revolutionists. They seized upon the general zeal for putting (down) the rebellion & perverted it into the means to destroy all *government by law.* They esteem the Constitution a convenient contrivance to put particular men into places of power, but powerless to restrain the licentious exercise of despotic authority. They & we were all eager to put down the secession & rebellion with which traitors hoped to revolutionize the country, by dismemberment & separation. But they, in pretended loyalty to the Union, aim to destroy the Union, & to establish, in its stead, one consolidated power over all. And thus, ostensibly resisting one revolution, they seek to establish another, more thorough in principle & more universal in its application. *Their* revolution destroys the State, without whose separate action there can be no constitutional government of the nation: It destroys the segregation of powers ordained by the constitution, as a bar-

House of Representatives, and six should be Senators, "who should inquire into the condition of the States which formed the so-called confederate States of America, and report whether they or any of them are entitled to be represented in either House of Congress, with leave to report at any time by bill or otherwise; and until such report shall have been made and finally acted upon by Congress, no member shall be received into either House from any of the said so-called Confederate States; and all papers relating to the representation of the said States shall be referred to the said Committee without debate."[5] Senator Doolittle was ready to meet the question when it came up for concurrence in the Senate. And not only to meet it, but to oppose it most vigorously.

It should be said in passing that the resolution, as proposed, was at once adopted without debate in the House of Representatives, drastic as it was in its aims and purposes, and of far-reaching importance to the States which had been but recently in rebellion. Clearly it was the beginning of a well-organized attempt to further humiliate and punish the seceding Southern States, to further belittle the vanquished brethren at whatever cost.

Senator Doolittle at once flung himself into the arena of the great debate upon the many phases of this question, holding that the reference should be to the Committee on the Judiciary, where "all of these great questions concerning reconstruction,

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rier against individual ambition & tyranny. And it destroys the law itself, by placing unbounded power in a single hand, supreme & absolute.

"This may seem to you strong language-rash & passionate. Strong it certainly is, but not rash nor passionate; for I have weighed it all before, and have analyzed the propositions, & feel confident that I can maintain every one of them, by indisputable facts & unexceptionable logic. But not now nor here. I must not bore you with a repetition of my doctrine, often expressed, & in a variety of forms.

"I take a very lively interest in your success at this particular juncture, not only because I respect & honor you, for your talents, principles & courage, but also because I do verily believe that you are more likely than any other man, to give a good tone & direction to the spirit & action of the Senate."

To the same general effect is the following brief note from President Lincoln's Secretary of the Interior, the Hon. John P. Usher to Mr. Doolittle, which is dated Terre Haute, Ind., Oct'r 29, 1865: "Dear Sir:—I have seen going the rounds of the press notices of certain speeches made by you upon the absorbing political questions of the day. If you are correctly reported, I am more than glad that you have made them: It needs some one of your influence and standing to set public opinion right and prevent eternal war. You and I know how Lincoln was set upon and maligned because he had 'malice toward none but charity for all.'

"Send me your speeches that I may have the pleasure of reading them."

5. Congressional Globe, 39 Cong., 1st Sess., p. 6.

pacification and restoration of civil government in the Southern States, representation in this body, or anything which concern our Federal relations with the several States, ought to be referred. Such has been the practice of this Government from the beginning. Great question of constitutional law, questions concerning the relations of the Union to the States and the States to the Union, and above all, and without any exception, all questions relating to representation in this body, to its membership, have always been referred to the Committee on the Judiciary. The Committee is constituted for the very purpose of considering such questions." It was evident to Mr. Doolittle that the purpose of the resolution was to take the subject away from the proper committee (the judiciary) and have the *personnel* of the committee suited to the wishes of those who were responsible for its introduction. This was one phase of the subject that he wished the senators to know.[6]

But another line of argument appealed more strongly to Mr. Doolittle. The argument has already been briefly referred to. It deals with the *status* of the confederate States. Upon that question Mr. Doolittle continued: "The question whether these States have any Legislatures that are capable of electing senators may very properly be raised. That is a question of fact to be considered. But as to whether they are States, and States still within the Union, notwithstanding their civil form of government has been overturned by rebellion, and their Legislatures have been disorganized—that they are still States in this Union is the most sacred truth and the dearest truth to every American heart, and it will be maintained by the American people against all opposition, come from what quarter it may."[7]

And again but to the same effect: "These people have been disorganized in their civil governments in consequence of the war; the rebels overturned civil government in the first place, and we entered with our armies and captured the rebellion; but did that destroy the States? Not at all. We entered the States to save them, not to destroy them. Our constitutional duty is to save them, and save every one of them, and not to destroy

6. Congressional Globe, 39 Cong., 1st Sess., p. 25.
7. Congressional Globe, 39 Cong., 1st Sess., p. 26.

them. The guarantee in the Constitution is a guarantee to the States, and to every one of the States, and the obligation that rests upon us is to guarantee to South Carolina a republican form of government as a State in this Union, and not as a Territory. The doctrine of the territorial condition of these States, that they are mere conquered, subjugated territories, as if we had conquered Canada or Meixco, will not stand argument for a moment. It is utterly opposed to the ground on which we stand and have stood from the beginning. The ground we occupied was this: That no State nor the people of any State had any power to withdraw from the Union. They could not do it peacefully; they undertook to do it by arms; we crushed the attempt; we trampled their armies under our feet; we captured the rebellion; the States are ours; and we entered them to save them, and not to destroy them."[8]

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8. Congressional Globe, 39 Cong., 1st Sess., p. 26. In further support of the strong and luminous presentation of the claim that the States in rebellion were never out of the Union, the following very intelligent letter is most interesting and convincing: "160 Fulton St., N. Y., May 16, 1866. Hon. J. R. Doolittle, Dear Sir: —Mr. Fessenden seems to have announced that the debate on Reconstruction will commence next week. This debate must needs become historical in the highest sense. No friend of Constitutional freedom can be an idle spectator. There is much in what you have said during the present session in justification of the position that in the first place the term 'Reconstruction' is a *misnomer*, as applied to this whole subject. The term was first used you may recollect by General Hunter after the secession of South Carolina, when he declared the Union to be broken up, and avowed himself ready to begin the work of 'reconstruction.' It is a term of secession origin. It assumes the dissolution of the Union, a fact which you have so strenuously & persistently denied. The proper term to be used is *pacification*. This properly expresses the work to be done, and the questions are what departments of the Government are to do the work, and how is it to be done.

"You may remember that I suggested to you in a very brief interview a few weeks ago, that in view of the decision of the Supreme Court in the Prize Cases, of the proceedings in the Convention which formed the Constitution, and of the general principles of public law as stated by Grotius, Puffendorf, Vattel, &c., it seems clear that this whole subject of pacification belongs by implication to the President and Senate, and that Congress as such has nothing whatever to do with it, which, by the way, seems to the 'well considered opinion' of Prince John. But to make the irregular and aimless action of Congress the more apparent, this inexpressible Committee has been created, and their labor is now to be considered in your venerable body.

"Nothing more need be said than has been said by you from the start in relation to the anomolous character of this Committee. But if the majority in Congress finally comes to the conclusion to absorb and usurp this Executive power of pacification wholly, it would seem to lead to revolution.

"The speech of Mr. Howard, of Michigan, a few days since was but an argument in favor of such usurpation.

"I do not expect a reply to these suggestions, if ever you shall spend time to read them. But if anything has been said in debate in illustration of the position here taken it has escaped my notice. And may I ask your club to send me anything of the kind which has appeared. Yours truly, T. BURWELL."

It is to be noted that Senator Doolittle addressed himself directly to the question as to whether the so-called Confederate States were entitled to be represented in Congress as proposed by the resolution. Mr. Doolittle's contention was that these States never having been out of the Union, no action contemplated by the pending resolution was either lawful or necessary. The argument was in accordance with the views of the President,[9] was the only truly statesmanlike ground to take, and while the position taken was defeated by a strictly partisan vote, it has since had the approving judgment of history. Reference is here made to the convincing remarks of Judge Doolittle because of his strong, patriotic desire to deal justly with the suffering and defeated people of the South, rather than with the intrinsic merit of the argument as such.

At a somewhat later date, the question of a provisional government for the eleven States of Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana,

9. At this point, a summary of President Johnson's views upon the question under consideration becomes pertinent. He holds that "the so-called 'Confederate States' were merely combinations of traitors, who, for the time being, overthrew all national and state authority and established thereon a revolutionary government, but that these revolutionary gov'ts were not States. That the People constitute the States. And what is meant by the term *People* is that portion of the political community who, by their several State constitutions are made electors and invested with political soverignty, not alien, not adherents of the rebel power, That the rebels are no part of the People. And though their confederate government may be overthrown and their armies captured or dispersed, yet so long as there is a hope cherished of revival either by force or fraud, its adherents are still enemies, mere prisoners of war, and not citizens.

"The States then are the people who never belong to that revolutionary power, or having belonged to it, renounced it and renewed their allegiance to the national government. It follows therefore from the principles of President Johnson's policy, that the People of the Southern States, though long overborne by a power they were unable to resist, lost not their rights as States of this Union; but that these rights, so to speak, were dormant, held in abeyance, and revived in their full force and virtue, so soon as the rebel power was sufficiently destroyed or weakened to admit of their free exercise.

"It follows also, from the President's policy that whoever obstructs the people in the re-organization of their State governments and attempts to bar the door against their admission as States of this Union, is a revolutionist, playing the role of the unequal secessionist.

"And if by force he should overthrow these States, and defeat the People in the enjoyment of equal rights, as members of this free republic, he is a traitor, as richly deserving the execration of mankind as is Jefferson Davis and his co-conspirators."

Explanatory. In the sense in which I use the term "people," they never lost their love for the Constitution. The bulk of them were never prepared to adopt the views of Davis & Co., and a conception of confederate independence would have blasted the hopes of the majority.

Transcribed from the private papers and documents of Hon. James R. Doolittle, presumably representing the "Opinion of the President."

Texas, Arkansas, and Tennessee, was under consideration in the Senate. A suggestion was made that whether the States in the Union under the Constitution, are such, or territories, is a mere abstraction, an idea of no practical importance. To this suggestion Mr. Doolittle made the following reply: "Ideas rule the world. They are the spiritual forces which bring on wars, lead in revolutions, and underlie every great movement in the scientific, religious, and political world. I need go no further to find an instance than to this great rebellion against the United States. Two radical ideas—radically false, however—brought on this civil war, which has cost this nation half a million of lives, and untold millions of treasure: First. That the State had a right to secede; and Second. That slavery is a blessing. The surrender of these two ideas by the South is now the basis of permanent peace. Sir, the question whether those States are still States in this Union under the Constitution, or not, is no vain abstraction, is no idea without immediate, practical, and most grave consequences." This cogent statement is followed with a summary of some of the things of great practical importance to the people of these States, in language most forceful and eloquent.[10]

In this same masterful speech, Senator Doolittle makes it appear most obvious that President Johnson, in succeeding to the presidential office, is, to the very best of his ability, carrying out the plans and policies of his predecessor upon the subject of reconstruction; that many of these policies were outlined, approved, and supported by President Lincoln's Cabinet, many of whom continued in office under Mr. Johnson. He goes much into detail to show this attitude. Indeed, it has never been denied.[11]

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10. Congressional Globe, 39 Cong., 1st Sess., pp. 266-7.

11. In further confirmation of Senator Doolittle's position that the States were never out of the Union, the following interesting letter to him is submitted. "Executive Mansion, Washington, D. C., Jan. 19th, 1866. Sir:—I have just read your recent speech in the Senate on 'Reconstruction' and I take the liberty of requesting that you will send me several copies for friends in Tennessee. For the Union soldiers of Tennessee, who have served during the rebellion, your speech possesses a peculiar interest, aside from their convictions as American citizens. During the *Dark Night of Rebellion* we stood, with sword in hand, by what we believed to be our Country, with an abiding faith that when the *Morning dawned* it would show to all men that we were in the Union, and under the Flag, which we loved, and this Faith was a strong shield against the attacks of Rebels who sought

The logic of the foregoing was simply unanswerable. But there was a most determined disposition to disregard this view of the situation. And Mr. Doolittle's argument was disregarded. Nevertheless it is important to know what was the record of the great and unselfish statesman upon this extraordinary policy toward the South immediately following the war. Some additional testimony of fair-minded citizens in approval of Senator Doolittle's position are found in the foot notes. They speak for the loyalty, the devotion to right principles, the absolute correctness of the position taken, in language the most eloquent and convincing.

It may not be necessary to follow this splendid and picturesque record farther. But the books and the minutes of proceedings are full of his sincere endeavor to deal justly and constitutionally with the stricken South. He did much to keep public opinion right upon the question. He did not altogether succeed in his worthy purpose. The public mind was not ready to accept his advanced and humanitarian views. But the judgment of history, the most desired judgment of "the sober, second thought," has long since passed favorably upon his correct and patriotic position.

Mr. Doolittle was neither a demagogue nor a political apostate, as some of his contemporaries would have us believe. Rather be it said that he was a constructive statesman of the highest order of intellectual ability, an unselfish patriot of unsullied personal and political life, a man whose conscience was always his first and controlling mentor.

Australian Socialism

GREATEST DEBTS IN THE WORLD. THE FAILURE OF GOVERNMENT OWNERSHIP

BY F. G. R. GORDON

AUSTRALIA and New Zealand are the countries where the experiments in Socialism have gone farther than elsewhere, and as a result of State interference they have a new kind of labor over there called "Government stroke." And what is this "government stroke?" It means that under socialistic management this new kind of labor —this "government stroke,"—means that it takes so much longer to dig a ditch, to construct a building, build a bridge or a piece of railroad, or any other kind of work, by "governmnet stroke" than by free labor. The Australian people call the government the "milch cow." It costs so much more by "government stroke" in the state machine shops to build locomotives, that the government can save from $3,000 to $4,000 on each locomotive, by purchasing them from the American companies, and shipping them 13,000 miles around Cape Horn. And what is more, wages in Schenectady and Philadelphia locomotive works are from 30 to 50 per cent. higher than they are in the socialistic shops of Australia! William P. Reeves who was a member of the government has written a book on "State Experiments in Australia and New Zealand." He says, Vol. 1, page 33: "Immigration to Australia has, for the present almost ceased." Mr. Reeves also shows that the birth rate has been falling. In Vol. 2, in speaking of wages he says: "Wages in the colony (New Zealand) fell generally between 1879 and 1895." In 1899 the minimum amount of wages to be paid by industries was fixed

by law. As a result the old and slow workers in the clothing and underclothing trades were all discharged and starved or became paupers." On page 64, Vol. 2, he prints a table of wages showing that wages in the shoe trade were from $1.25 a week for children, $6.00 a week for men over 21, and $11 a week for skilled workers. This is less than half the average rates in Massachusetts shoe factories. In the clothing trades the wages average about the same. In the furniture industry they are less. Shirt makers receive five to twelve shillings a week, if under 21 and $11 a week if over 21, this is for men. In the case of the women workers the wages are much less. The average wage paid to the female workers in the clothing trades is about $4.50 a week, and even less in the shirt trade. Mr. Reeves prints about 200 pages in defense of the arbitration laws, but he admits that the number of strikes is growing, that is, the number of violations of the compulsory laws, is increasing all the time, and discontent is growing. Dr. Dekin, prime minister in New Zealand in 1895, said of the system of railway labor: "That the system had offered no reward to able and aspiring men and repressed energy and originality," and he said further: "He could never forget the chaos which the political management had brought about, the degradation which it had imposed on members and the demoralization which it had sown throughout the service." Almost all the railway workers and other State workers, too, have come "to live and have their being" in politics, and the resulting demoralization is increasing rapidly. In other words "government stroke," or socialistic stroke has resulted in low wages, poor work, bad service and political graft of the worst type. Under the Australian railway system it has become necessary to appoint candidates for jobs by lot and to promote all employees according to seniority, whether they are fit or not. In the year 1899 there were 13,792 persons who applied for a job on the State Railways for the 387 vacancies. In 1901 there were 12,387 applicants for the 1,100 places to be filled. The commissioners say that under this government stroke labor conditions, they are obliged to work the railways under the supervision of a staff containing many inefficient men and a good many of them not amenable to discipline.

What kind of a system would this be for the N. Y. C. & H. R. R. R.? Would the sane and sensible people of this nation stand such conditions as this for even one week? HIGH TAXES. The state of Massachusetts raises for taxation purposes the sum of about $8,000,000 annually against $68,000,000 by New Zealand, and the population of the former is 3,500,000, and of the latter 1,000,000. Socialism comes high, eh? The Commonwealth of Australia on January 1, 1911, took over the Port Augusta—Oodnadatta Railway, which was built by the State of South Australia. Ownership was transferred to the Commonwealth government on the latter assuming the amount of loans $10,-901,014. With the transfer of ownership the Commonwealth government then leased the line to the State of South Australia for operation, and agreed to give the entire receipts as compensation for working the lines.

So that the Commonwealth government bears all the extraordinary expenses, such as interest on capital cost, depreciation, taxes, etc. Yet, under this most favorable agreement the operation of this socialistic railway showed a loss the first year of $17,033. The real net loss, counting in the capital invested in the line the loss of taxes, and so on, is nearly $500,000 annually. New Zealand and Australia are the countries in which our socialistic friends tell us the working men are in clover. If conditions in those countries are ideal we must have something far better than a "heaven on earth" here in these United States.

Socialistic Railways and their Tremendous Failure

THEY HAVE RELAYED DEVELOPMENT, INCREASED THE PUBLIC DEBT AND DEMORALIZED LABOR.

Socialists, as a rule, cite the Australian and New Zealand railways as a great success. Let us see:

In Mr. H. D. Lloyd's book, "Newest England," page 63, we find a quotation from the Railway Reform League of Canterbury, N. Z., asking for lower freight rates for the town of Christchurch and its port, Lyttleton, in which they say: "Equitable rates and everything like an intelligent and scientific commercial policy have manifestly been subordinated to the exigencies of the treasury."

Mr. Lloyd was a good Socialist. There have been unreasoning and almost uniform insistence upon high and vexatious charges upon these state R. R. Mr. Lloyd himself said: "The New Zealand railroads are in some respects almost primitive. They can be shown to be inferior to the roads of Europe and America in speed and comfort." (See page 49, "Newest England.")

And again he said on page 78: "Even under public ownership the democracy has not yet found out how to make a democratic tariff. While every mile adds to the charge, rural traffic is under ruinous inequality as compared with that of the city. Though less able to pay, the country has to pay the most, and as a matter of fact pays three-fourths of the passenger receipts of New Zealand railroads. And the country pays nearly all the freight rates."

This is due to the fact that the Socialist element in both Australia and New Zealand is strong in the cities and weak in the country districts; and the cities, owing to the concentration of the vote there, and the inability of the country vote to solidify, have a dominant voice in legislation. In other words the Socialistic legislation of the Australian countries have been directed for the special benefit of the city people and against those of the country, and this from a party that preaches equality!

Though the late Henry D. Lloyd was an enthusiastic Socialist he was honest enough to point out, in his book, the numerous flies in the New Zealand State socialistic ointment. *Liberty and Progress,* a reliable publication of Melbourne, in the early months of 1908, published tables of statistics showing that the Australian states had lost about $164,000,000 before they began to cover expenses, on the operation of the state railways. This means a continuous annual loss of some $6,000,000 for interest charges on the loss of $164,000,000.

Mr. A. W. Pease, the editor of the *Pastorialist Review,* shows that not only are the Australian railways woefully inefficient in the performance of their accepted tasks, but also that other countries which have proceeded on the more sensible plan of allowing owners of capital to bear their own risks and losses in the matter of railway building, have shot way ahead of Aus-

tralasia in their competition for the trade of the world. He shows the condition of Argentina in comparison with Australia. In the former a net work of railways have served to develop the interior with six trunk lines, while Australia can boast of only one. In 1908 Argentina opened up 1,300 miles of railway and Australia only 468 miles. In that same year Argentina had 3,900 miles in course of construction and 6,000 miles under survey; the total mileage under construction in Australia was only 685 miles. The railways of Australia cost nearly $900,000,000. According to the London *Times,* issue of June 28, 1912, the capitalization of the Australian railways, for road and equipment was $46,217 per mile, and for New Zealand $52,183 per mile. Quoting again from Mr. Lloyd's book on page 49 he says: "None of the Australian governments make both ends meet in their railroads. None of them are able to pay out of the receipts of the railroad the full interest on the money borrowed to build them. The taxpayers have to go down in their pockets every year to make the deficit good."

The interest charge upon the cost of the Australian railways, together with the loss of the interest upon the $164,000,000 of losses, before the operating expenses were less than the revenue, amount to an annual charge of more than $40,000,000. To this must be added the loss of millions of dollars in taxes, which these lines would have paid to the state, if they had been under private ownership.

The loss in taxes, based upon the rate paid by the American railways would amount to more than $7,500,000 a year.

What an Investigation Shows

The *Washington Star* has been investigating the railways of New Zealand and finds that the freight rates are from two to three times as high as they are in this country. It also states that passenger rates which are alluded to as being so cheap, are not enjoyed by the general public, but by special classes only, that is, those who can afford the time to take long and costly vacations, and that the special class tickets are issued at a loss.

Thus we see that one class is carried at a loss which has to be met by taxing all the people. Of course that is fine socialism.

The *Star* also found that the speed and general comfort of the passengers is far inferior to that in this country.

The *Star* shows that government ownership in New Zealand has put an end to all activity in the construction of new roads and the development of the country, and it shows that had the New Zealand system prevailed in this country that the phenomenal growth of such states as Oklahoma would have been impossible.

On the question of profits and taxes paid by the private owned R. R. of this country, the *Star* shows that the taxes alone woud offset the normal net earnings of the N. Z. R. R. system for twenty years. In addition to this the claim is made by this trustworthy newspaper that the R. R. patronage in use in N. Z., for political purposes by the officials and certain sections of the country are punished or rewarded as the case may be, by good or poor railroad service, according to the way they vote at the general elections.

The N. Z. R. R. system is run at a loss, says the *Star,* which the taxpayers are obliged to make good for the benefit of those who live along the lines of the railway, or who profit directly by it.

Compared with our country New Zealand is small and the evils which are complained of there would be multiplied a thousand fold in this country were we to socialize the railways.

The Great Debt of the Socialistic Nations—New Zealand and Australia, and the Failure of Public Ownership

Socialist organs like the *Appeal to Reasons,* and many Socialists and reformers, have told us from time to time, of the alleged wonderful advantages of State Socialism in New Zealand and Australia. Books, pamphlets and columns in the Socialist press, have asserted over and over that government ownership there is a great success. Let us see.

Former Congressman Victor Berger, sometime ago wrote in the *Social Democratic Herald* a timely article on public owner-

ship in N. Z. Mr. Berger said: "Now, the fact is that New Zealand had public ownership of public utilities for over twenty years before they tried social reforms, and during the time of their greatest misery. So public ownership of public utilities did not make them prosperous," and he said further: "Just now there is a boom—about in the same sense as there is 'prosperity' in America (Berger wrote this article before the last national election) but only a few years ago the reports of the labor secretary of the colony of New Zealand were as gloomy reading as those of any other country." The late Henry D. Lloyd, an out and out Socialist, who went to New Zealand for the very purpose of writing a favorable story of that country, which had gone so far in the direction of State Socialism said in his book, "Newest England," this:

"That even now—that is, in the boom times—the streets of the larger cities of New Zealand, swarm with young men and women, who, unfortunately are not unemployed, though their hands are idle." And he adds: "When a traveller reads the police records of the principle Australasian cities, he feels as if he were at home in New York or London, or some other Sodom or Gomorrah."

On the other hand Mr. E. M. Clark, a member of the Australian Parliament says: "There must be an abolition of excessive State Socialism or it will drag the country to a condition which will shortly render it unfit to live in."

Mr. A. St. Ledger, author of "Australian Socialism," and a member of the Australian Parliament, writing of the gains for Socialism says: ". . . Socialism scored its heavy representation in the Australian Parliament immediately after 1890, reaching its highest points in 1893-4. Socialism received its first great impetus owing to the financial failure of State experiments in enterprises elsewhere left to private resources."

In other words, even though state ownership and operation had proved a most miserable failure, still the Socialists profess to believe that somehow or in some way the state is hedged in with a divinity over which financial ruin cannot peep. In 1894 the public debt of New Zealand amounted to $194,000,000; in ten years it had increased to $275,000,000, and during the fol-

lowing year it increased by $12,000,000 more. Mr. Coghlan, the foremost Australian statistician, shows that during this time of greatest socialistic activity in passing laws, the advance in wages was eight and one-half per cent., and during this same period the price of meat (in a country that exports millions of pounds of mutton) rose 100 per cent., that house rent increased from 35 to 50 per cent. So that with a great deal of public ownership we see that the lot of the workers was growing worse instead of better.

Compulsory Arbitration a Failure

Compulsory Arbitration has proven a most miserable failure. William Henry Stead, who was in Australia in 1913 tells us that about every one there condemns the Act. The law is not flouted by the trade unions all over the country. It has not prevented strikes and has not improved the condition of labor. The real trouble with that law of course, as every student knows, is that it is founded upon force and therefore was bound to be a failure. If the countries of N. Z. and Australia were such a paradise as has been pictured by the socialistic elements here, why is it that immigration has not flocked there?

Since 1900 the population has increased at the rate of one and a half per cent. annually. At this rate of increase Australia will have a population in 1950 of 8,000,000. No other country which is naturally capable of supporting a great population, shows such a slow rate of development. These Australian states have the greatest public debts in the world; debts that are so enormous that the Socialists have practically declared for REPUDIATION. And this great debt is due almost entirely to the socialistic propaganda and laws.

The Great Debt Made by Socialistic Laws

The Australian Commonwealth debt, last report, is 340,000. The debt of the Australian states is $1,299,975,000, and that of New Zealand is $394,667,000, a grand total of $1,719,882,000. Think of it, a public debt in New Zealand that equals $1,800 for

every family and one in Australia that amounts to more than $1,500 for every family! Writing upon this debt in 1903 when it was much less than at present, Mr. W. H. Wilson said in the *London Mail*:

"The finances of Australia has often been criticised, and with reason. No country in the world with the sole exception of New Zealand, which is however, far more favored by nature, has to carry so heavy a burden of debt. Each Australian is saddled with $290 as against the $95 per head that the British population has to support. . . . The Australian debt is practically the creation of the last thirty years. It scarcely existed before 1870, in which year the liabilities of the country were only $140,000,000. In 1880 it was $300,000,000; in 1890 it rose to over $700,000,000; and at the opening of 1903 it was estimated by the Commonwealth statistician at no less than $1,075,000,000. . . . Australia, in fact, like the pauper in our modern workhouse, has every thing done for her by some one else. But she lives on sufferance—on the patience of the British taxpayer and lender. . . . So onerous is the burden of debt becoming that already the first ominous mutterings of the word 'Repudiation' are heard. . . . It is to be feared that they have produced a parasite state when they imagine that they were providing an example for mankind."

State Railways a Failure. A Comparison With Private Ownership in Canada

The contrast between Canadian and Australian methods in railway management is shown in the account of trade in these respective countries.

The Canadian lines in 1908 carried 333,141,401 passengers. The Australian lines carried 159,621,188, and the freight tonnage of Canada is three times as great as that of Australia. Moreover, both passenger rates and freight rates in Canada are 100 per cent. cheaper than in Australia.

Something like 25,000,000 tons of freight are transported on the Australian railways annually and the cost is from two to three times as high, on the average, as in Canada or this country.

This means that the loss amounts into the millions on freight transportation which of course is never figured in the reports.

It costs as much to transport a bushel of wheat a distance of 200 miles on the railways of Australia as it costs us to transport a bushel of wheat from Chicago to Liverpool, a thousand miles by rail and three thousand by water.

The railways of Canada, Argentina and this country have aided in the wonderful development of these nations.

State ownership in Australia by building railways only where settlement had first proceeded drives men into the wilderness and when by great exertion they have carved out a few farms out of a virgin forest, then the railway is built, and of course fails to pay expenses of operation.

In this country as well as in Canada, the railways have been built into the virgin, unsettled territories and have thus opened up the country to settlement and progress.

Losses Are Great

The New Zealand railways now pay about three and a half per cent. on the operation, not counting the loss of taxes and interest losses for many years.

The total net loss on the operation of the State railways of both New Zealand and Australia amounts to ten and a half million dollars annually. And this is what Socialists call a success.

Passenger rates in Western Australia are 3.8 cents per mile, or just double the rates in this country, and wages are lower there than here by 25 or 30 per cent. In Australia engineers receive $3.69 to $3.61 per day; firemen receive $1.75 to $2.21 per day, and the rates throughout Australia average about the same.

Mr. Samuel Vaile, a leading advocate of government railways and a resident of New Zealand for many years said:

"The whole present railway system has been cradled in fraud, and rocked in corruption."

And that tells the story of socialistic railways almost everywhere.

History of the Morman Church

By Brigham H. Roberts, Assistant Historian of the Church

CHAPTER C

Irritation Produced by Federal Officers—Their Conspiracies: Arrival of the California Volunteers—Indian Battle on Bear River

UNHAPPILY the federal appointments of civil officers for the Territory, the manifest mistrust of the people of Utah by the Lincoln administration—especially of Secretary of War, Edwin M. Stanton[1]—and the development of local political events, all tended to foster the aloofness of the people of Utah in the matter of the war between the states.

The appointment of John W. Dawson, of Indiana, as Governor of Utah was most unfortunate. He arrived in Salt Lake City on the 7th of December, three days later he inflicted a long academic message on the legislature in which he strongly implied the disloyalty of the Mormon people, and urged the prompt devising of means for the collection of the direct, special federal tax—the war tax—in order to vindicate the community of the charge of disloyalty. In a few days he made improper proposals to a respectable woman, was repulsed and exposed in this and some other "gallantries," which drove him into the seclusion of his lodgings, where he was reported as both sick and insane. On the 31st of the same month which witnessed his advent into Salt Lake City, he secretly took his departure, but unfortunately at the mail

1. It was Secretary Stanton's influence that placed the people of Utah under the military supervision of the California volunteers. See Linn's "Story of the Mormons," p. 344.

station at Mountain Dell, a number of lawless men gathered in during the evening; there was some drinking, and Dawson was cruelly beaten and robbed, but he continued his journey eastward.[2] About a month later the two associate justices of the Territorial Supreme Court, R. P. Flenniken and H. R. Crosby, who had been appointed about the same time as Dawson, also left the Territory, which fact was telegraphed President Lincoln by the remaining federal officers in Utah, who recommended the appointment of the successors of the departed officers, and accordingly, on the 3rd of February, Thomas J. Drake, of Michigan, and Charles B. Waite, of Illinois, were appointed associate justices; and two months later, namely on the 21st of March, Stephen S. Harding, of Indiana, was appointed Governor to succeed John W. Dawson.[3]

Harding was an early acquaintance of the Prophet Joseph Smith in New York, 1830; claimed to have been in the printing office when the first impression was taken of the title page of the Book of Mormon. He preserved the sheet, and in 1847 presented it to Robert Campbell, who deposited in the Church Historian's office. The Governor related that he put the paper in a hair trunk with a great number of other papers to which the rats and mice had access, and they "destroyed every other paper but the Mormon one."[4] The Governor had also occasionally entertained the Mormon traveling Elders at his home in Indiana, and on his arrival in Salt Lake City—July 7th, 1862—appeared

2. The Judge wrote his own version of the affair from Bear river station to the *Deseret News,* which was published in the impression of Jan. 22, 1862. The names of his assailants were Isaac Neibaur, Wood Reynolds, Jason, John M., and Wilford Luce, John Smith, Moroni Clawson, and Lot Huntington. Writs were obtained against these parties. Three of them, Smith, Clawson, and Huntington stole horses and attempted to leave for California; they were followed by the sheriff, but resisted the officer and Lot Huntington was killed. On the way to the prison after reaching Salt Lake City, the other two made an attempt to escape and were killed by the police. The remainder of the party were remanded for trial, (Hist. of Brigham Young *Ms.*, entries for January, 1862, p. 258; *Deseret News* of Jan. 22, 1862). President Lincoln claims to have been imposed upon in the appointment of Dawson. "The senate relieved him from the imposition by refusing to confirm the appointment." (Waite, "The Mormon Prophet," p. 76).

3. Waite's Mormon Prophet, p. 77. The other appointees by Lincoln had been Frank Fuller of New Hampshire, Secretary of the Territory, and James Duane Doty superintendent of Indian Affairs. John F. Kinney had been reappointed chief justice of Utah by President Buchanan, succeeding Judge D. R. Eckles, and was holding over on that appointment until succeeded by Lincoln's appointment of John Titus of Pennsylvania, in June, 1863.

4. Letter of Geo. A. Smith to Hosea Stout, date of July 30th, 1860. Copied into Hist. of Brigham Young Ms., July 1860; pp. 689-90.

to presume upon an especially friendly reception and treatment because of these antecedent Mormon associations.[5]

A matter which intensified the feelings of the people with reference to the federal government was the arrival of the California volunteers under command of Col. P. Edward Connor. While ostensibly sent to the Territory to guard the mail routes and telegraph lines from the Indians in the region of the Intermountain west, of which Salt Lake City was the natural and strategic center, still, by the orders to establish a military post in the vicinity of Salt Lake City, it was felt that surveillance of the people of Utah was, in part, the purpose of the general government in sending these United States troops to Utah. Especially so since the people of Utah had been so entirely willing to assume responsibility for the safety of the mail routes, telegraph lines, and to keep the Indians in subjection, as was evidenced by the promptness with which they had responded to the call of the war department for such service in the previous year, and by direct announcement to that effect by Brigham Young.[6]

That the coming of the troops proved an irritant to the community life of Utah is abundantly witnessed alike in speech and

5. "The Governor tells me," says Geo. A. Smith, in his letter to Hosea Stout, "he hopes we would take as good care of him as he did of that paper (i. e. the title page of the Book of Mormon mentioned in the text above). "I told him we should certainly do it," continues Historian Smith, with grim humor, "for he had placed it in a box where the rats could get access to it, and we would not do worse than that. He appears to be a pleasant fellow, a thorough-going black-Republican; a dyed-in-the-wool abolitionist; but has some faint glimmerings that Mormonism is to rule the destinies of nations, and that there was a great miracle in the preservation of that title page." *Ibid.* See also *Deseret News* of March 4th, 1863.

6. Hist. of Brigham Young *Ms.*, December, 1861, pp. 529-30. Connor's force consisted of five companies of the 3rd regiment of infantry, and two companies of the 2nd cavalry; numbering about seven hundred men. The California volunteers had "enlisted to fight traitors," and could not understand why they were sent to Utah. "Why we were sent here," said a correspondent from the force to the *San Francisco Bulletin*, "is a mystery. It could not be to keep Mormondon in order, for Brigham can thoroughly annihilate us with the 5,000 to 25,000 frontiersmen always at his command." The infantry companies, in a dispatch signed by the Col. commanding, to Major General Halleck, offered to authorize the paymaster of the army to withhold $30,000, then due them, if only the regiment should be ordered to the east rather than to the Utah service. The correspondent of the Bulletin also points out how unnecessary it is to detail them for the mail route service since "Brigham Young offers to protect the entire line with one hundred men." The Bulletin letter is copied into the *Deseret News* of October 15, 1862. President Brigham Young was absent from the city on a tour of the northern settlements at the time of the arrival of Connor's command. (See *Deseret News* of 22nd of Oct., 1862). See Stenhouse Rocky Mountain Saints, p. 593.

conduct of the period on both sides to the controversy which unhappily so persisted in Utah. For while on the one hand the military presence vexed the spirits of the Mormon leaders and people,[7] on the other it rendered arrogant and aggressive the civil representatives of the federal authorities—the Governor and Judges. The entrance of the force into Salt Lake City, and its march to the East Bench, where subsequently Camp Douglass was founded was unnecessarily spectacular and offensive.

The evening before entering the city, although there had been given no evidence of resistance to the troops, ammunition was distributed to them, and the next day, October 20, 1862, "with loaded rifles, fixed bayonets, and shotted canon, Col. Connor marched the volunteers into Salt Lake City."[8] The command entered the city from the south, via. State street, marched north to First South street, thence turned eastward to the residence of Governor Harding, where a halt was made, the troops drawn up in two lines and a speech made by that gentleman—a speech both of welcome and warning;[9] after which there were cheers for the Governor, for the country, and the "brave old flag." "There-

7. "Lincoln," said President Young, commenting on the order for the California troops to perform service in Utah—"Lincoln has ordered an army from California, for the order has passed over these wires. A senator from California said in Washington a short time since that the Mormons were in their way and must be removed." (Hist. of Brigham Young, *Ms.*, 1861, pp. 529-30). Referring to the presence of the troops at Camp Douglas somewhat later, he said: "We told the brethren (i. e. of the Mormon Battalion) to enlist, and they obeyed without a murmur. . . . In this way we have proved our loyalty: we have done everything that has been required of us. Can there anything reasonable and constitutional be asked that we would not perform? No. But if the government of the United States should now ask for a battalion of men to fight on the present battlefields of the nation, while there is a camp of soldiers from abroad (California) located within the corporate limits of this (Salt Lake) City, I would not ask one man to go. I would see them in hell first." (Discourse of 8th of March, 1863. Journal of Discourses, Vol. X, p. 105-10).

8. "Rocky Mountain Saints," (p. 603). It may be that Col. Connor was not altogether blameable for this war like entrance into a peaceful city. According to a correspondent with the force to the *S. F. Bulletin*, a rumor reached the Col. the day before he crossed the Jordan river, that an effort would be made to prevent his crossing, and that his entrance to Salt Lake City would be resisted. These, however, were but wild, street rumors; that fact, however, did not prevent the Colonel from avowing his determination to "cross the river Jordan if hell yawned beneath him." The *Bulletin* letter, filling nearly four columns, detailing Conner's spectacular entrance into Salt Lake City is copied into *Deseret News* of Nov. 12th, 1862. Connor himself, and apparently without a military escort, had come into the city on the 9th of September, to look out a place of permanent encampment, while his command was located in Ruby Valley, in northeastern Nevada. The *Deseret News* of Sept. 10th noted his presence in the city.

9. The speech in full will be found in *Deseret News* of Oct. 22nd, 1862, also an account of the entrance of the command into the city.

upon the march through the city was resumed—the bands continuing their floods of music." They were marched to some springs between the mouths of Red Butte and Emigration Canon, and there encamped on what has ever since been a government military reservation, about two and a half miles east of Temple square.[10]

The opening of the legislature in December brought on a crisis between the new governor and the people's representatives. Congress had enacted its anti-polygamy measure in July, and perhaps it was to be expected that the Territorial executive would make some allusion to it in his message, which he did. He said he was aware that there was a prevailing opinion that the said act of congress was unconstitutional, and therefore it was recommended by those in high authority that no regard whatever should be paid to the same;" but he took that occasion to warn the people of the Territory "against such dangerous and disloyal counsels."

The governor also charged the people with what he called their lack of loyalty to the federal government. He had heard no sentiments expressed that would lead him to believe that much sympathy was felt by any considerable number of the citizens of Utah in favor of the government of the United States, then struggling for its very existence; and called upon the legislature to pass such resolutions as would compel him to retract that statement if it was not true. He attacked the whole body of their territorial laws and urged revolutionary changes therein. So insulting did the legislature consider the address, both in its matter and the manner of its delivery, that as they listened in

10. *Ibid.* The order establishing Fort Douglas, was called Post Order No. 1, and is dated Oct. 26th, 1862. The proclaimed reserve, as outlined, contained 2,560 acres, more or less, part of which was within the city limits (Hist. of Brigham Young, of above date, p. 957). Stenhouse says that "no place could have been chosen more offensive to Brigham. The artillery have a perfect and unobstructed range of Bringham's residence, and, with their muzzles turned in that direction, the Prophet felt awfully annoyed." (Rocky Mountain Saints, p. 603). It never occurs to Stenhouse how gratuitous all this was, and how provocative of just indignation among the people that this, their most highly honored citizen, the Pioneer of the city and of the commonwealth, should thus be menaced without reason. As a matter of fact, however, President Young was not so much annoyed as his enemies hoped he was. "In regard to their location," he remarked, in referring to the army at Camp Douglas, "I will say that after all the insult that has been offered, they are in the best place they can be in for doing the least injury. If they were at Camp Floyd or Firt Bridger, they would go unrestrained, but here they cannot do much hurt." (Hist. of Brigham Young *Ms.*, Oct., 1862, p. 960).

silence to its "semi-dramatic" reading,[11] so they concluded to treat it with silent contempt throughout. No copies were ordered printed; and there appears nothing in the current impression of the *Deseret News*, nor in the record of the legislative assembly, to show that Governor Harding was even so much as present on the day he read his message to the conjoint assembly. "It was written entirely for another longitude," wrote Geo. A. Smith to Delegate Bernhisel—by now again Utah's Delegate in Congress—"the neglect here [i. e. to publish it] may enable him to give it a wider circulation elsewhere."[12] And it did; for when the fact was communicated to congress that the legislature had suppressed the Governor's message, it became the subject matter of a senate resolution directing the senate committee on Territories to inquire into the causes of such suppression and report thereon. This brought forth a very unfavorable report upon the action of the Utah legislature by the committee, which recommended that one thousand copies of the message of Governor Harding be printed by congress and sent to the Governor for distribution, which recommendation was adopted.[13] The report of the committee, influenced by the anti-Mormon prejudice that obtained in the east, and uninfluenced by the consideration of any defensive *data*, or adequate setting forth of the cause of the people of Utah, was more prejudicial to the Mormon cause than the message of the Governor, whatever longitude it was intended for, could possibly have been.[14]

The triumph which came to the Governor in this instance encouraged him and the two associate justices of the supreme court, Judges Waite and Drake, to enter into what was nothing less than a conspiracy to overthrow all semblance of what remnant there was of popular government in a Territory of the

11. "The Governor proceeded to a semi-dramatic reading of a document, which for length would have done honor to Henry A. Wise" (United States senator). Geo. A. Smith's letter to Bernhisel, Dec. 15th, 1862, Young's Hist. *Ms.*, p. 1059. The Governor had taken the pains to invite all the representatives of federal officialdom to be present at the reading of the message, including Col. Connor and other army officers (*Id*).

12. *Ibid.* The Governor's Message to the legislature will be found complete in Tullidge's Hist. of Salt Lake City, chapter XXXIII, pp. 291-305.

13. The first action of the senate committee was taken on the 16th of Jan., 1863; and the report of the senate committee was brought in on the 13th of the following month, see congressional Globe of those dates also Waites Mormon Prophet, pp. 83-4.

14. Extracts showing the general trend of the report will be found in Waite's Mormon Prophet, pp. 83-4.

United States. The scheme was hatched in the fertile brain of Judge Waite, who drew a bill amendatory of the Organic Act, which created Utah a Territory in 1850. Its chief provisions are here stated:

First. It aimed to strike down what had become the courts of the people—the county probate courts—by limiting their jurisdiction to the probating of wills, to issuing letters of administration, and the appointment of guardians.[15]

Second. It authorized the marshal to summons *any persons within the district in which the court is held, that he thinks proper as jurors.*

Third. It authorized the Governor to appoint and commission *all* militia officers, including the major general, and remove them at pleasure. It also conferred on the Governor authority to appoint the days for training.[16]

This measure was forwarded to Washington with the recommendation by Governor Harding and Judges Waite and Drake that it be enacted into law. It was introduced into the upper house of Congress by Senator O. H. Browning, of Illinois, and referred to the committee on judiciary.

As soon as these movements were reported from Washington by delegate Bernhisel, and William H. Hooper, then in Washington, they caused great indignation in Utah, as a result of which a mass meeting was assembled at the Old Tabernacle at which the course of the Governor and the two Judges was fully exposed and denounced as a conspiracy against the liberties of the people and the interests of the Territory. Albert Carrington read the correspondence from Washington disclosing the part that *Messrs.* Harding, Waite and Drake had taken in introducing the proposed obnoxious legislation; and strong speeches were made by John Taylor and Brigham Young. A series of eight emphatic resolutions were adopted; one required the appointment of a committee to wait upon the offending officials and request them to resign their office and leave the Territory; another called for

15. The matter of the Territorial laws enlarging the powers of the probate courts of Utah beyond the usual powers of such courts, in order to retain some measure of the rights of local self-government in things judicial, and a justification of that procedure has already been considered in this History, see Chapter LXXXVII.

16. See synopsis of the bill sent to Salt Lake City in a letter from Bernhisel, *Deseret News* of March 4th, 1863.

the drafting of a petition to the President of the United States asking for the removal of the three officials, and the appointment of "good men in their stead." John Taylor, Peter Clinton, and Orson Pratt were appointed the committee to make the request for the resignation of the offending officials and their retirement from the Territory. The day following the mass meeting the committee called upon these officials and delivered their message, but there was unanimous and emphatic, not to say vehement,[17] refusal on their part to comply with the request of the people.

The petition to the President set forth that the Governor and associate justices were "endeavoring to create mischief and stir up strife between the people of the Territory of Utah and the troops at Camp Douglas; . . . and, of far graver import in our nation's present difficulties, between the people of the aforesaid Territory and the government of the United States."[18]

This petition was numerously signed, and many other mass meetings were held throughout the Territory in support of the steps taken to remove the Governor and Judges. There were also some mutterings of threats heard on the streets against these conspiring federal officers. These, however, were promptly reproved,[19] and, never formidable, soon died out.

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17. Judge Drake for instance described as a man of "thin, wiry frame, dark hair, and a nervous-bilious temperament," is reported to have said to the committee: "Go back to Brigham Young, your master,— that embodiment of sin and shame and disgust,—and tell him that I neither fear him, nor love him, nor hate him; that I did not come here by his permission, and that I will not go away at his desire, or by his directions." (Waite's Mormon Prophet, p. 99). The request for these officers to leave the territory grew out of the fact that Governor Harding had frequently expressed a willingness in the early days of his sojourn in Utah to resign and leave the Territory "whenever he learned that his acts and course were not agreeable to the people." The committee, on his refusal to comply with the request to resign and leave the Territory reminded him of his repeated declaration, and told him if he was not satisfied that the resolutions of the mass meeting expressed the feelings of the people, "he could have the expression of the whole Territory." "I am aware of that," he replied, "but that would make no difference." (Report of *Messrs.* Taylor, Clinton, and Pratt, *Deseret News* of March 4th—Brigham Young's Speech—of the 11th of March, 1863). See also Letter of Geo. A. Smith to delegate Bernhisel Hist. of Brigham Young *Ms.*, Dec., 1862, pp. 1058-60. This declaration of Governor Harding of willingness to resign and leave the Territory should he become obnoxious to the people, invited the action of the people through their committee, and of course the Judges were included in that invitation.

18. The petition and resolutions of the mass meeting, together with a very elaborate account of the meeting of the 3rd of March, the speech of John Taylor in full, a lengthy synopsis of Brigham Young's Speech, and an account the action of the Committee in waiting upon the three federal officials will be found in *Deseret News* of the 4th and 11th of March, 1863. The anti-Mormon version of these incidents, with many omissions of essential facts, however, will be found in Waite's "Mormon Prophet," Chapter VI.

19. "If we thought," said the *Deseret News*, editorially, referring to this matter,—"If we thought that there was a citizen so far lost to self-respect as to offer

A counter petition, approving the course of Governor Harding and the Judges was drafted; and, contrary to the rule that the military abstain from interference in civil affairs, was signed by Col. Connor and all the commissioned officers then stationed at Camp Douglas. "Our respectful opinion is," concluded their petition to the President, "that there is no good and true cause for the removal of his Excellency, Governor Harding, and Judges Drake and Waite, from the offices they now hold."[20]

All this, however, was to no purpose; for while all that was asked for in the petition of the people was not granted, Governor Harding was removed from office in May following,[21] and James Duane Doty, who for nearly two years had been superintendent of Indian affairs in the Territory, was appointed to succeed him. Judges Waite and Drake were not removed from office; but, as stated by a writer favorable to them, the change in the governorship of the Territory, together with the fact that the government manifested no disposition to furnish "a military force of at least five thousand men, well armed and equipped," to support them in their endeavors to administer the law in the Territory—a demand they had made immediately following the mass meeting in Salt Lake of the 3rd of March—convinced them that "the government was not then prepared to meet the questions which had arisen in such a manner as the dignity and honor of the nation required; and accordingly all effort to further counteract the evil effects of this intolerant theocracy were for the time abandoned,"[22] With the appointment of Doty as Gover-

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an indignity by word or act to such persons [the officers in question], we should certainly commend him to the care of his friends. The people *en masse* have rendered a legitimate verdict upon the conduct of the men whom the government pays to serve them, and if the said servants are so indigent as to require such unwelcome bread, let them by all means eat it in peace, it is bitter enough. They cannot hire any man to do to them the service they so earnestly seem to desire." (*News*, impression of March 11th, 1863).

20. The Petition in full with the names of all the officers signing it will be found in Waite's "Mormon Prophet," pp. 95-7.

21. Stenhouse hints at another reason than this concerted action with the judges against the liberties of the people of Utah as being the cause of Harding's removal. "There are no castle walls high enough in Utah to conceal even private life, when the Saints are after an enemy; and they were not long in discovering that S. S. H. [the Governor] was not the proper person to lecture them on the immorality of polygamy. His removal did credit to the government." Rocky Mountain Saints, p. 609, *note*.

22. Waite's Mormon Prophet, pp. 104-5.

nor,[23] and the political subsidence of Judges Drake and Waite the prospect for affairs settling into normal conditions was much improved.

The superceded chief justice, John F. Kinney, doubtless out of consideration for his fidelity to the interests of the people of Utah, was elected delegate to congress in the fall of 1863, and took his seat in the winter following. Between the time of his nomination and election—and his election was unanimous—he made quite a thorough canvass of the Territory, not so much for the purpose of soliciting votes, as becoming acquainted with the needs of the people and of the Territory he was to represent in Congress.[24] Judge Kinney arrived in Washington, and was seated as delegate from Utah, at a most opportune time. In the early days of the 38th Congress—known as the "War Congress" —Fernando Wood, a representative from New York City—of which two years before he was mayor—made a set speech on "Confiscated Property," and by way of illustration of his theme made incidental reference to what he called the "Mormon Rebellion," in which he alluded to the "Mormons" as "profligate outcasts," who had "always been hostile to the moral and political institutions of the United States." This gave Judge Kinney an opportunity to make a successful defense of his people; and all the more so because his opponent was particularly vulnerable before that congress, being classed as one of the leaders of that group of men who were opposed to the suppression of the

23. At the time Doty was appointed to succeed Harding, Chief Justice Kinney was succeeded by John Titus of Pennsylvania, and secretary, Frank Fuller, was superceded by Amos Reed, who had come into the Territory with Governor Doty from Wisconsin. The dismissals and appointments were compromises. "The government was striving to restore peace in Utah" (Rocky Mountain Saints, p. 621). "The President endeavored to restore peace by making concessions on both sides." (Bancroft's Utah, p. 621). Harding was appointed to the chief justiceship of Colorado Territory; chief justice Kinney who had been very offensive to the non-Mormons of Utah for his alleged subserviency to Brigham Young, was dismissed to satisfy them, but was elected Utah's delegate to Congress in the fall of 1863. Of the newly appointed officers Governor Doty was "a very discreet gentleman"; Mr. Reed, the secretary," was conservative"; Judge Titus was then unknown, but subsequent acquaintance showed him to be in harmony with Mr. Lincoln's three word policy for the Saints of Utah, *viz, "Let them alone."* (Bancroft's Utah—He also adds—"To be left alone was all that the people asked and all that they had struggled for since Utah was first admitted as a Territory").

24. So far Utah had been represented in Congress by Dr. John M. Bernhisel 1850-1859; by Captain W. H. Hooper 1859-1861; by Dr. John M. Bernhisel again, 1861-1863; Judge Kinney 1863-1865; Captain W. H. Hooper was elected again in 1865 and served four consecutive terms, from 1865 to 1873, when he was followed by Hon. Geo. Q. Cannon.

"southern rebellion" by force—dubbed by their opponents "Copperheads." Wood had introduced himself into the activities of the House by proposing a resolution declaring the war then raging *"inhuman;"* in his speech of the 26th of January, in which he made his reference to the Mormons, he had characterized the war as a *"hellish crusade of blood and famine."* Also while mayor of New York City, he had telegraphed regrets to Governor R. Toombs of Georgia that arms *in transitu* for the state of Georgia had been taken possession of by the police of New York; and also declared that if he had had the power he would have summarily punished the authors of that unjustifiable seizure. This in January, 1861. This put representative Wood at the mercy of the delegate from Utah, who declared that if he had the full privilege of a member of Congress, instead of the limited ones of a delegate, he would "introduce a resolution to expel the gentleman from New York as unworthy to occupy a seat upon the floor of Congress. The delegate denied the existence of any rebellion in Utah at any time; charged the "Utah Expedition"—which he declared had cost the government "forty millions of dollars"—to the designing treason of John B. Floyd, Secretary of War in the late Buchanan administration; held that sending the army to Utah at so large an expense, and attended with such destruction of munitions of war, was intended to assist in preparing the way for the southern rebellion.[25]

All this was acceptable to the strongly pro-union House, and gave Mr. Kinney a prestige which enabled him all the better to serve his constituents and get some measure of relief for them

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25. "That was all there was of the Mormon rebellion, as the gentleman called it," said Utah's delegate, "not a rebellion by the Mormons, not at all, but a military expedition, set on foot and carried into effect in 1858 [1857] by John B. Floyd, for the purpose which I have already stated; and it has had its effect. It has crippled the north. For the time being it crippled and impoverished the treasury of the United States; and Mr. Floyd and Mr. Buchanan were content, for it cost the Government nearly fifty million dollars."

Of the people of Utah he said: "Sir, the people of Utah have under all their discouragements and embarrassments built up a beautiful city in the midst of the great American desert. They are feeding, and have been for years, the employees of the overland mail. They are furnishing the necessary supplies for the purpose of developing the resources of the rich mineral regions which surround them. They have afforded a safe retreat from the Indians to the wayfarer as he passes on his weary pilgrimage to the other side of the Rocky Mountains, for the purpose of developing the resources of the Pacific coast. (Congressional Globe of Jan. 28th, 1863).

in the way of congressional appropriations.[26] Later, viz., March 17th, of the same year, Judge Kinney introduced a bill in the House for the admission of Utah into the Union, and set forth her claims to that right in a very able speech that occupied some two hours in its delivery,[27] but the Judge's effort, like those which had preceded it, was of no avail.[28] The Judge proved himself a very acceptable delegate in congress, but after the expiration of his single term in that office, he took up his residence in Nebraska.

As illustrating the nervous strain, and the constant danger that existed of a rupture between the military force at Camp Douglas and the local civil authorities and the people during this period, it should be said that grave apprehension existed that an attempt would be made to arrest Brigham Young by a military force for an alleged recent infringement of the anti-bigamy law, and subject him to unusual judicial procedure. Hence the fragment of a conversation between Col. Connor and Judge Waite—overheard by *"a reliable person"*—in which the Col. said: "These three men must be surprised;" and the Judge replied: "Colonel, you know your duty"[29]—was supposed to

26. He procured a large number of post offices for remote settlements that had long suffered for the need of them (*Deseret News* of March 2, 1864); he supplemented and carried, to successful conclusion the efforts of Delegate Hooper in obtaining a settlement of outstanding claims of the Territory for the expenses of the Indian war of 1850. (c. f. Bancroft's Utah, pp. 605-6, and Whitney's Biography of Kinney, Hist. of Utah, Vol. IV, pp. 670-1); He secured some arrears due the legislative assembly of the Territory for pay and mileage of members amounting to about $20,000. (See Congressional Globe, 26th March, 1864; also Hist. Brigham Young *Ms.* March, 1864, pp. 106-111). He also obtained favorable actions by the department of Indian Affairs on applications for land warrants for early military service—about two hundred in number. (See Whitney's Biography of Kinney Hist. of Utah, Vol. IV, pp. 668-671).

27. See Congressional Globe of 23rd of March, 1864. The speech is also published in *Deseret News* of April 27th, 1864. For closing paragraphs of the speech see note 1 end of this chapter.

28. The attitude of the *Deseret News* at this time on the subject of statehood—and of course representing the position of the Mormon Church leaders, is expressed in the following quotation: "We hear of this thing being whispered and the other proposition being made for Utah's acceptance as a condition of entrance into the family of States; but we know of nothing outside of Constitutional obligations that Congress has a right to ask or we could be justified in accepting." (*Deseret News* of Apl. 27, 1864).

29. Bancroft in a footnote states that "the Mormons feared that Brigham might be taken to Washington for trial," and cites *Harrison's Crit. Notes on Utah, Ms.* Hist. of Utah, p. 613 *Note* 24. Stenhouse also mentions the belief of some that Connor "entertained the idea of making a dash upon the Prophet's bedroom in the dead of night, seizing him, and running him off to the states before the Mormons could learn of his situation, and render him any assistance." Rocky Mountain Saints, p. 607.

have reference to a plot to arrest Brigham Young and his two counselors by the military. The fragment of conversation was promptly reported at President Young's office, and within half an hour after a preconcerted signal was displayed from the President's office,[30] one thousand citizens under arms were on duty; followed half an hour later by another thousand.[31] No attempt was made to arrest the President. On the part of the watchful Saints it was said that the sudden display of force "proved to them [the Colonel and the Judges] that we were fully prepared for them."[32] The Colonel and the Judges disclaimed any intention to arrest Brigham Young.[33] To prevent the possibility of an arrest by military authority, with all its danger of an armed conflict, a friendly complaint was filed before chief justice Kinney, charging Brigham Young with violation of the anti-bigamy law. He was arrested by Mr. Isaac L. Gibbs the United States marshal, without a posse, and promptly appeared before Judge Kinney in chambers at the state house (the Old Council House), where he was bound over to await the action of the grand jury at the next term of the United States Court for the third district, which included Salt Lake City—Judge Kinney's district. His bail was fixed at two thousand dollars.[34] By

30. This was the U. S. flag raised upon the top of President Young's Bee Hive House in the day time, and the firing of a canon was to be the signal at night. (Hist. of Brigham Young, *Ms.* March, 1863, p. 280).

31. Letter of David O. Calder to Geo. Q. Cannon, dated March 13th, 1863, Mill. Star., Vol. XXV, p. 301.

32. David O. Calder's Letter to Cannon before cited, *Mill. Star,* Vol. XXV, p. 301.

33. Waite's "Mormon Prophet," p. 106. Col. Connor disclaimed such intention to Bishop John Sharp, to which the latter replied that after the Col. had declared such intention "it would be hard to make men believe he had not." (Hist. of Brigham Young *Ms.* March, 1863, p. 288). Stenhouse explains that the "three persons" to be "surprised" had reference to a man who, it was rumored, had married "the three widows of a wealthy merchant," and who were living within sight of Judge Waite's residence." It was thought that this case might prove an excellent one with which to test the new bigamy law. The difficulty that might arise from Judge Waite—who had been assigned to the southern district—acting within Judge Kinney's district while the latter was present, is said to have prevented the arrest of the party who had married the merchant's wives. (Rocky Mountain Saints, p. 607, *note*). Linn seems to concede that Connor was to arrest Brigham Young, and even represents him as on the march for that purpose when he heard of the President's "friendly" arrest, and of his being taken before Judge Kinney. "Col. Connor was informed of this [Young's] arrest before he arrived in the city, *and retraced his steps,* and in the citizens dispersed to their homes, ("Story of the Mormons," p. 549.)

34. See *Deseret News* of March 11th, 1863. Linn puts the bail at $5,000, an error. He also declares that Colonel Steptoe, who, in the closing month of 1854, had joined in a petition to President Franklin Pierce, praying for the retention of

the time the next term of court arrived the excitement had blown over, the grand jury found no indictment against President Young and he was discharged from his recognizance, and this *sans reproach* to the grand jury. The law had been enacted by a legislative body 2,000 miles distant, in which the community immediately affected had no voice; it was in the nature of foreign legislation to them, enacted by legislators influenced by the clamors of sectarian opponents of the dominant religious community in Utah, and was to be enforced by officers—Judges and marshals—appointed by the federal government, and made arrogant by the presence of a military force in sympathy with their crusading methods. Besides, the act charged against Brigham Young as an offense was regarded by the local community as an act of religious privilege, and, under some circumstances, a religious duty. The law itself, besides being obnoxious for the several reasons herein set forth, was regarded quite generally as unconstitutional, being, as was claimed, an unwarrantable infringement upon religious liberty and the free exercise thereof.[35] Under all these circumstances it could scarcely be expected that a grand jury, necessarily under the Territorial law a Mormon body, would indict Brigham Young for alleged infringement of the anti-bigamy law; and yet that seems to have been expected of them by anti-Mormon writers.[36]

Another illustration of the feverish excitement that obtained in these troubled months, arose from the night firing of cannon at Camp Dougles. This between ten and eleven o'clock on the 29th of March. It was thought in the city that this firing might be the expected attack of Connor's command upon the city from Camp Douglas, and the citizens, especially those who had been

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Brigham Young as Governor of Utah, claimed the credit of making this suggestion of the friendly arrest of Brigham Young in order to place him beyond the reach of the military authorities. (See Linn's Story of the Mormons, p. 549; also *Overland Monthly*, for Dec., 1896).

35. It is important to note that this was the attitude of the Church as expressed editorially by the *Deseret News*: "It is well known that the Latter Day Saints have publicly proclaimed for many years, through their discourses and published volumes, the divine right of polygamy. It rests upon the sacred scriptures for its foundation. "As a principle, it is incorporated *into*, and forms part of our religious faith. Our fathers, in forming the Federal Constitution, wisely guarded and protected the religious rights of the citizen. Left free to adopt such faith and mode of worship as the subject might choose, he was secured from all intolerance and interference by law or otherwise." (*Deseret News* of March 11th, 1863).

36. See Stenhouse in Rocky Mountain Saints, p. 605. Waite's Mormon Prophet," p. 106.

detailed as armed guards for the protection of President Young, caught up their arms and made haste to his residence in anticipation of a conflict. As they assembled, however, the strains of martial music could also be heard, and presently it was learned that the booming of cannon and the music of the bands was but the rejoicing of the Camp over the news just then received by telegraph message that Colonel Connor had been promoted to the rank of Brigadier-General for his victory over the Indians on Bear river on the 29th of January, 1863; and the whole camp had turned out to celebrate the occasion. Such was the tension between camp and city, however, that an incident of this kind could impel hasty and excited preparations for a battle!

The brief campaign of Colonel—now General—Connor against the northern Indians on Bear river was a very great service to the people of Utah, and to the immigrants on the northern overland routes to Oregon and California; and for it Connor was fully entitled to the promotion he received. For some time the Bannock and Snake tribes had been the terror of the north and central routes to California, and a menace to the settlements in Cache and other northern valleys of Utah. Two previous expeditions had been sent against them from Connor's command under Major McGarry, but they were not sufficiently decisive in results to correct the maraudering and thieving practices of these northern Indians. Connor's campaign against them arose from a reported attack upon two companies of miners en route from the Grasshopper gold mines in Dakota Territory to Salt Lake City. William Bevins, a miner in the second party, reported that himself and seven other men were attacked by Indians in Cache valley; one of the party was killed and Bevins and the others lost gold dust, animals, and other property to the amount of two thousand dollars; that another party of ten men, also from the Dakota mines, who had preceded himself and companions into Cache Valley by only three days, had been murdered by the Indians. To these statements Bevins made affidavit before Chief Justice Kinney, who issued a warrant for the arrest of three chiefs—Bear-hunter, Sandpitch and Sagwitch. This was delivered to U. S. Marshal Isaac L. Gibbs with instruction to make the arrests. Meantime a detachment of Connor's command, numbering about three hundred men all told, was

being made ready at Camp Douglas to move against these Indians in force, the Colonel commanding believing that in these recent attacks upon the two parties of miners he had justification for such procedure, to say nothing of the repeated attacks he believed the same Indians to have made upon California and Oregon immigrant companies through many years. The U. S. marshal, although there was little prospect of his having any opportunity to arrest the chiefs for whom he held warrants, accompanied the expedition.

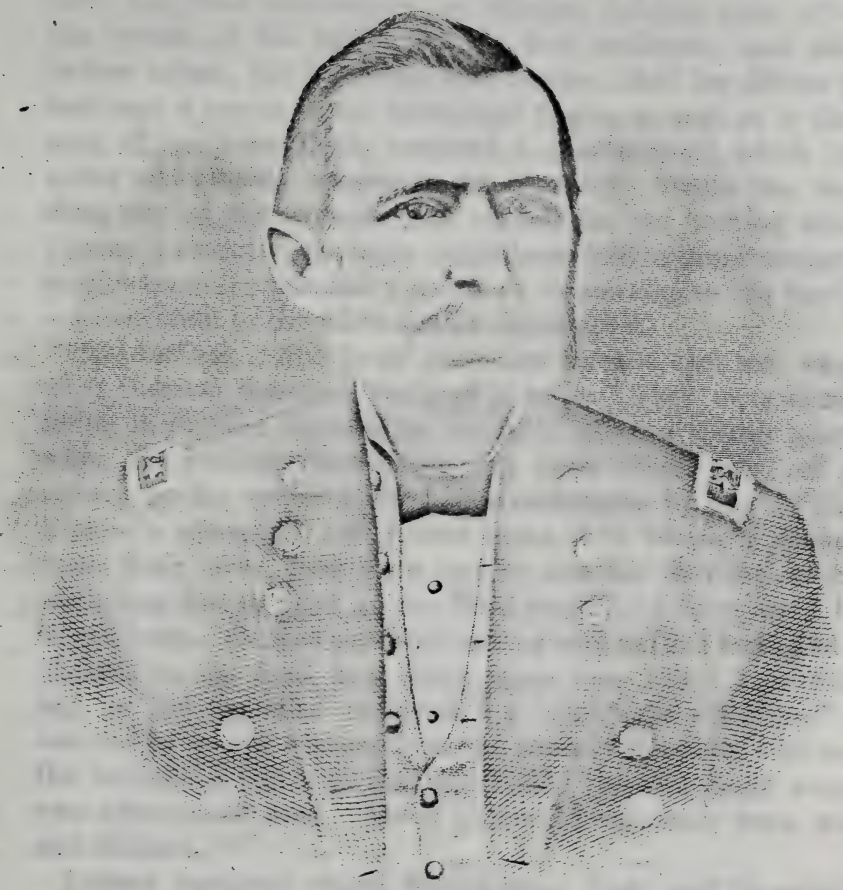
Col. Connor's force found the Indians encamped in a ravine leading up from Bear river through a plain towards the mountains, at a point about fifteen or eighteen miles from the town of Franklin, now in Idaho, then in Washington territory. Here in a four hours' fierce engagement, during which the Indians fought most desperately, a decisive victory over the savages was won, from two hundred and fifty to three hundred of them being slain, mainly warriors, Chiefs Bear-hunter and Lehi being among the number. It was reported at the time of the battle that only about fifteen warriors escaped, among whom were chiefs Pocotello, Sandpitch and Sagwitch, supposed to be in the fight. Some squaws were killed and the rest, one hundred and sixty in number were left amid the burned ruins of their camp to shift for themselves. About a thousand bushels of wheat and a large amount of beef and provisions, together with a large supply of ammunition, was found in the encampment. There were abundant evidences in the camp of immigrant plundering having been indulged by these Indians, such as their possession of modern cooking utensils, looking glasses, combs, brushes, fine rifles and pistols—all which had been taken from the immigrant companies they had attacked and robbed. Now and then wagon covers bearing the names of their unfortunate owners were found stretched upon the poles of the tepees. What the victors thought worth bringing to their post they brought with them, and the rest they destroyed, except that they left enough of the provisions and camp furnishings for the preservation of the squaws and children. Among the trophies of war were one hundred and seventy-five ponies that the Indians had tied up to the willows during the fight. All this plunder was afterwards sold at public auction at Camp Douglas.

GENERAL P. EDWARD CONNOR

Amid the snows and storms of the winter of 1862-3, he planned and prosecuted a successful campaign against hostile Indians, and on the 29th of January, 1863, fought the hard battle of Bear River, defeating and annihilating the savages, under the leadership of Bear-Hunter, Pocolello, Sagwitch, Sanpitch and Lehi. For the brilliancy of this action, Colonel Connor was promoted by President Lincoln to be Brigadier-General of United States Volunteers.

"He was a man of strong common sense, excellent and quick judgment, invincible energy and determination, firmness amounting to obstinacy, and the strictest integrity."

—WAITE



P. Edm. Connor

The campaign was made at a time when the country was covered by deep snow, and the weather intensely cold. Seventy-nine of the command had their feet frozen, forty-nine were wounded and fourteen killed in the battle. Officers and men acquitted themselves as efficient fighting men, of which the results of the battle are the best evidence; and the two Indian tribes, the Bannocks and Snakes, that for fifteen years had been a terror to the immigrant trains, as well as to the citizens of northern Utah, received a chastisement which it was never afterwards necessary to repeat.[37] While the terrible slaughter of the savages was regretable, yet nothing short of Connor's severity, perhaps, could have broken their strength or taught them the necessary lesson of submission to the inevitable —submission to the white man's domination.

The Indians in this brief campaign learned that war was just what General Sherman declared it to be. They were doubtless living in fancied security in carefully selected winter quarters, when the sudden destruction fell upon them. Cut off from retreat up the ravine towards the mountains by one division of Connor's command, and forced down it to where it debouched upon Bear river, they were met by another division where an enfilading fire so piled up the dead that above forty were found in one heap. Connor reported having counted 224 bodies of dead Indians on the field, how many more were killed he could not say, as his wounded required his immediate attention.[38] As counted by an eye witness from the town of Franklin who visited the battlefield, the dead numbered 386, "besides many wounded who afterwards died. About ninety of the slain were women and children."[39]

Conner reported chiefs Bear-hunter, Lehi and Sagwitch as among the dead; the last named, however, was not killed at the Bear river battle, he was reserved for a more inglorious fate a

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37. Quite a detailed and sympathetic account of this expedition against the Bannocks and Snake Indians will be found in the *Deseret News* of the 28th of January, 1863, and the 4th and 11th of February of the same year.

38. Official Report, to Lt. Col. R. C. Drum, Ass. Adjt. Gen. U. S. A., Department of the Pacific, date of Feb. 6th, 1863, published in Tullidge's Hist. of Salt. Lake City, pp. 283-286.

39. Col. J. H. Martineau, of the Utah militia, author of "A Sketch of the military History of Cache Valley, quoted by Tullidge, Hist. Salt Lake City, pp. 289-290.

few months later.[40] Bear-hunter was killed while moulding bullets; he pitched forward into the fire when shot, and perished miserably.[41] "The morning after the battle, following an intensely cold night, a soldier found a dead squaw lying in the snow with an infant, still alive, which was trying to draw nourishment from its mother's icy breast. *The soldiers, in mercy to the babe, killed it!*"[42] Matigan, a crippled Indian, who went to the battle field with the soldiers as a guide, and was at the scene immediately after the fight, "said that the way the soldiers used the squaws after the battle was shameful."[43] The number killed, and these outrages following, justify the remark of Bancroft that "had the savages committed this deed it would pass into history as a butchery, or massacre."[44]

Connor in his official report did the Mormons of Northern Utah a great injustice. He said:

"I should mention here that in my march from this post no assistance was rendered by the Mormons, who seemed indisposed to divulge any information regarding the Indians and charged enormous prices for every article furnished my command."[45]

In refutation of this may be cited the *Deseret News'* sympathetic account of the whole expedition both while forming,[46] and also in recording its achievements. In the first place it is evident that the "Mormons" did not have any definite knowledge of the location of the Indians. "Of the present condition and

40. In the following July Sagwitch was on his way to a treaty meeting to be held at Brigham City, Utah, July 30th, where Governor Doty and Gen. Connor were to meet the Shoshones for treaty purposes. The chief was taken prisoner in Box Elder Cannon by a small detachment of Connor's command serving as an escort to a government train. When Governor Doty heard of the capture he sent an express to the officer in command of the detachment. informing him of the contemplated treaty and expressing a hope that no violence would be done the chief. This, however, did not save Sagwitch from violence, for during the following night, and while strongly guarded, he was shot by some unknown person, the ball entering his left breast and passing through the right shoulder. (Hist. of Brigham Young, *Ms.* entry for July, 1863, pp. 814-815). I cannot learn if the shooting was fatal or not.

41. Martineau's Narrative. Tullidge as before, p. 290.

42. *Ibid.*

43. S. Roskelly's letter to Ezra T. Benson and Peter Maughn, date of February 8th, 1863. Copied into Hist. of Brigham Young *Ms.*, entries for Feb., 1863, p. 146. Martineaux reports the same kind of outrages, saying that some of the squaws were killed because they would not quietly submit. *Ibid*, p. 144.

44. Hist. of Utah, pp. 631-2.

45. *Deseret News* of 28th January, 1863.

46. *Ibid.* Impressions of Feb. 4th and 11th, 1863.

number of the Indians, and their locality," said the *News,* "we have heard various reports; the commander of the troops, however, we anticipate, marches with the expectation that he will come up with the red skins about eighty or ninety miles from here on Bear River, and that with ordinary good luck the volunteers will 'wipe them out,' if the chiefs named in the writ do not deliver themselves up."[47] Besides a prominent Mormon "Porter Rockwell was Connor's chief guide on this expedition.[47½]

The colonel also said in his report that he had "destroyed over seventy lodges and a large quantity of wheat and other provisions *which had been furnished by the Mormons.*" Relative to this, and before the battle on Bear river, and therefore before this charge was made by Col. Connor, the *Deseret News* had said:

"In this connection it may be stated that we have heard of charges against parties trading with the Indians, purchasing from them emigrant plunder, and in return supplying them with 'munitions of war.' We expect that unprincipled persons are to be found on every frontier who would purchase from Dick, Tom, or Harry, if they could get a bargain" without regard to the color—white, red or black, of the seller. There is no apology for such illegal traffic, and if our information is correct, the present expedition north is likely to seek some light on this subject. We wish this community rid of all such parties, and if Col. Connor be successful in reaching that bastard class of humans who play with the lives of the peaceable and lawabiding citizens in this way, we shall be pleased to acknowledge our obligations.[48]

As to high prices charged for things, Col. Connor must have compared the prices of what he bought in the northern settlements of Utah, in that midwinter season, and in the midst of great scarcity, with remembered prices in his California home. As to the sympathetic report of the battle referred to the *News* said:

"From every statement that we have heard from those who were on the field, we conclude that the Volunteers must have met the Indians with a bravery seldom equalled by regulars. Instances of individual daring are so numerous that it would be

47. *Deseret News* of Jan. 28th, 1863.
48. *Deseret News,* impression of Jan. 28th, 1863.

invidious to give the names of only the few that may have reached our ears; we, therefore, leave their mention for the official report. The wounded now in camp bear on their persons the evidences of close work."[49]

And as for no assistance being rendered by the Mormons, the *News* said:

"We are glad to learn that the citizens of the settlements through which the wounded returned, contributed in every way they could to their comfort."[50]

Col. Connor sent to the Bishop of Franklin for ten sleighs on which to move the wounded from the field, and they were furnished.[51] Martineau in his military History of Cache county has the following passage:

"On their return the troops remained all night in Logan, the citizens furnishing them supper and breakfast, some parties, the writer among the number, entertaining ten or fifteen each. The settlers furnished teams and sleighs to assist them in carrying the dead, wounded and frozen to Camp Douglas. In crossing the mountains between Wellsville and Brigham City the troops experienced great hardships. They toiled and floundered all day through the deep snow, the keen, whirling blasts filling the trail as fast as made, until, worn out, the troops returned to Wellsville. Next day Bishop W. H. Maughan gathered all the men and teams in the place and assisted the troops through the pass to Salt Lake Valley.[52]

The wounded were brought as far as Farmington in sleighs, and there the snow having mostly disappeared, they were changed from the sleighs to carriages and wagons and conveyed to Camp Douglas.[53]

The views of the citizens of Northern Utah with reference to the results of this campaign—while they could do no other than deplore the cruelty of it—is well expressed in the following passage from the military history of Cache Valley:

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49. Impression of Feb. 4th.
50. *Ibid.*
51. Letter of Alexander Stalker to Peter Maughan, date of Jan. 30th, 1863—the day after the battle. Copied into Hist. of Brigham Young *Ms.*, pp. 107-110.
52. Quoted by Tullidge, Hist. Salt Lake City, p. 290.
53. *Deseret News*, Feb. 11th, 1863.

"The victory was of immense value to the settlers of Cache county and all the surrounding country. It broke the spirit and power of the Indians and enabled the settlers to occupy new and choice localities hitherto unsafe. . . . It made the flocks and herds and lives of people comparatively safe; for though the survivors were enraged against the people of the county, whom they regarded as in a manner aiding and abetting the troops, they felt themselves too weak to forcibly seek revenge."[54]

The peace made inevitable by this battle on Bear river was formally ratified by several treaties with the Indian tribes of the north in the following summer.[55]

NOTE 1. JUDGE KINNEY'S APPEAL FOR STATEHOOD FOR UTAH. (The closing paragraph in his speech of the 1t7h of March, 1864, *Congressional Globe* of 23rd of March).

"Following in the wake of Nebraska, Colorado and Nevada, I have had the honor of presenting a bill for an enabling act to authorize the people to form a State government. This I trust will be more fortunate, (i. e. than former efforts to obtain statehood).

"Mr. Chairman, in forming your new western states it is proposed to jump over Utah and take in Nevada, that is but an offshoot of Utah, once belonged to her western boundary, has had a territorial existence of only about three years, and has far less population than Utah? It is proposed to take in Nebraska, lying immediately west of the Missouri river, Colorado west of it, and then take in Nevada, and leave out the most valuable and important link in your chain of states to the Pacific? Why, sir, these Territories are infants in age and population when compared with Utah. Fourteen years has Utah had a territorial existence, and at no period since her organiaztion has she not had a larger resident population than either Nebraska or Colorado.

"In behalf of near one hundred thousand people I protest against this unjust discrimination. In behalf of those who first

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54. Martineau quoted by Tullidge, Hist. of Salt Lake City, p. 29.

55. One of these peace treaties was made at Brigham City with the Shoshones on the 30th of July, at which Governor Doty and General Connor represented the Government, while Pocatello and Sandpitch, with other chiefs, represented the recently hostile bands of Indians (*Deseret News*, Vol. XIII, p. 37). About the same time representatives from the Bannock tribe visited Gov. Doty and sued for peace, which later led to a meeting with these Indians in Ruby Valley, Nevada, where Governor Doty, and Governor ——— of Nevada met with them and entered into a formal treaty by which peace was secured. and the Indians were granted an annuity of $5,000. This on the first of October (*Deseret News* of Oct. 14th, 1863). Later Governor Doty and General Connor met northern tribes of Indians at Soda Springs where a peace treaty negotiated early in the summer by the General at Fort Bridger was ratified. (*Id.*)

. . . gave you to know and understand that there was a great and mighty West, rich in mineral resources, way beyond the Rocky Mountains, I ask for justice and equality. In behalf of those who with their lives in their hands in an Indian country have reclaimed your deserts, prepared the way for your great postal inter-oceanic communication, your telegraph and Pacific railroad, who have contributed more to the settlement of California by reason of the facilities and position of their settlements than all the ships of the Pacific, I ask for justice and equality. In behalf of those who follow with intense interest and anxiety your flag; whose whole heart beats in unison with the Constitution and Government, and who, if admitted, will be represented in Congress by those who will vie with the foremost in sustaining your nationality, I ask that you do not turn them coldly away, and for the third [fourth] time reject their petition and prayer. We come to you in friendship and love. We offer you our devotion, our industry, our enterprise, our wealth, our humble counsels in the affairs of the nation in this the darkest hour of our country's history. We present to you for a state your deserts reclaimed and fertilized by persevering industry and the sweat of uncomplaining toil. We offer you one hundred thousand people who can . . . with pride point you to their cities, their churches, their school houses, their manufactories, farms, and possessions as evidence of their achievements and the results of their industry. Will you accept the offering? The Constitution invests you with the power; exercise it charitably, deal justly, and decide wisely. (*Deseret News,* April 27, 1864).

CHAPTER CI

The Morrisite Affair—A Provost Guard for Salt Lake City—Threatening Conflict—Mining for the Precious Metals—Close of the War Period—Influence of the Death of Lincoln in Utah

Another incident of this period and one which most always brings regrets with its recital, is what is known as the Morrisite affair. It could be passed over with brief mention so far as the importance of the incident itself is concerned, if, in the first place, anti-Mormon malice had not made of the incident an occasion of rank offending on the part of the Latter-day Saint Church leaders, and classed Morris as a martyr to their hatred of a

rival;[1] and, second, if Governor Harding by pardoning without just reason, a number of the Morrisites tried and convicted of murder in the second degree, had not linked up this affair with the series of events which constantly kept the Latter-day Saints in a state of irritation against the United States federal officers in the Territory.

Joseph Morris, the chief figure of the incident, was an ignorant Welshman, who joined the Church of the Latter-day Saints in his native land in 1849; and now, undoubtedly, was become of unsound mind.[2] Under date of September 1st, 1859, he addressed a long letter to President Brigham Young in which he made many incongruous claims respecting himself, among which was that he was the "seventh angel" spoken of in the Revelations of St. John.[3]

In addition to this there is in the letter a lot of jumbled vagaries about the resurrection; about the fullness of the keys of the priesthood having been given to him; that he was "the greatest prophet that ever lived upon the earth with the exception of Jesus." "It is true that I hold the keys of the dispensation of the fullness of times," he said, "Joseph Smith was my forerunner; he did that for me which I could not do for myself." Yet with all this he assumed humility: he was inferior in many things to the brethren of the Twelve; he wanted to be united with them "heart and hand." "I am willing to give them any privilege that their hearts desire in righteousness," he continued. "Use your liberty and be of good courage for the Lord will be with you and fight your battles, *and prepare yourselves for a speedy Moses,*" which character, re-incarnated,

1. See Waite's Mormon Prophet, chapter VII; Stenhouse's Rocky Mountain Saints, ch. LI; and Beadle's Life in Utah, Ch. XVII.

2. Morris was born at Burwardsley, Chestershire, near the city of Chester, in 1824. He emigrated to Utah in 1853. Before leaving England he was severely burned, the shock of which is said to have affected his mind. At St. Louis, while *en route* to Utah, he was stricken with a severe illness, which still further affected his mental balance. He lived some time in Sanpete and Utah counties, but finally moved into Weber county, where, and in the north of Davis county, he began to find a following, who accepted his extravagant claims as a Prophet (Jensen's Historical notes, *Ms.*) The facts were supplied to Mr. Jensen by Geo. Morris, brother of Joseph.

3. "And I saw an angel come down from heaven, having the key of the bottomless pit, and a great chain in his hand. And he laid hold on the dragon, that old serpent, which is the Devil, and Satan, and bound him a thousand years." (Rev. XX. 1-2). "Who is that angel," asks Morris in his letter to President Young, "it is your humble servant." Hist. Brigham Young, *Ms.*, Sept. 1859, p. 654.

Morris also pretended to be. Morris also directed President Young and the Twelve to send out no more missionaries; they were admonished to give their whole attention to the deliverance of Israel, and to opening a door for him that he might come up "to the head of the Church." "For," he continues, "I long to have the privilege of meeting with you when I can have the opportunity to speak face to face with you, for I never had the opportunity to make known much unto you, as yet. I have only, as it were, hinted to you, but when I come up to the head of the Church I will make known to you all things that are necessary to you."[4]

Other letters followed of like general character. Naturally the course of the unfortunate man was annoying, and Brigham Young could not be expected to have much patience with his vagaries.[5] Besides the new "Prophet" had been twice excommunicated from the Church for immorality, since living in Utah, and even at the height of his career was living in illegal relations with the wife of a man who was demented.[6]

In the course of a year Morris succeeded in gathering about him a following of several score of people, chiefly located at South Weber settlement, near the mouth of Weber canon. The bishop of this ward, Richard Cook, had become a convert to Morris and many of his people were in sympathy with the claims of the latter as an inspired man. Elders John Taylor and Wilford Woodruff, of the Council of the Twelve, were sent to make inquiries concerning the status of things and to correct any irregularity that might have arisen in that ward of the Church. A public meeting of the members of the ward was held on the 11th of February, 1861, and Bishop Cook was required to state his position with reference to the new "Prophet," whereupon

4. Morris' letter is copied *in extenso* in the History of Brigham Young, *Ms.*, entries for Sept., 1859, pp. 653-659.

5. Stenhouse charges that Brigham Young made a brief and unbecoming reply, (Rocky Mountain Saints, p. 594). Waite says that Brigham made no reply (The Mormon Prophet, p. 122).

6. *Journal* of Wilford Woodruff, *Ms.*, entry for 11th Feb., 1861. In addition to mentioning the fact in public meeting that Morris had twice been excommunicated for immorality, Elder Woodruff also adds: "I told Morris that he was not a Prophet of God, neither the 7th Angel (i. e. of John's Revelation, ch. XX); that when the 7th angel came to earth he would not spend the first year of his mission with a woman whose husband was crazy, and commit adultery with her." Morris tried to deny this latter charge, but Bishop West of Ogden declared the statement of Elder Woodruff to be true (*Ibid*).

he very boldly announced his belief in Morris, and declared Brigham Young to be a failure as President of the Church. Fifteen others announced a similar faith, whereupon they were excommunicated from the Church by Elders Taylor and Woodruff, and the remaining faithful members of the Ward.

The hearing was long and great patience was exercised by the two Apostles. Morris himself was sent for and given a hearing though it appears that he was not very forceful in presenting his claims, and he had to be strongly urged before he would make any statement at all. Bishop Cook was commended by Elder Taylor for his frankness in declaring his belief in the order of things set forth in the claims of Morris. An overzealous brother of the name of Watts, opposed to Bishop Cook and everything Morrisite, made harsh accusations against the Bishop, charging him with lying, with not abiding in the council of President Young, and denouncing him as worthy of destruction. "He made some very unwise statements," says the minutes of the meeting, "which were disapproved by Elders Woodruff and Taylor, and Bishop Cook said he was satisfied with their disapproval"[7] of that which Watts had said. Cook also said that the brethren had "expressed themselves against his 'evils' and 'wrongs' much more moderately than he had expected." In concluding the meeting Elder John Taylor admonished the brethren who had remained faithful in the South Weber ward "to go to work in the fear of God and work righteousness. Treat those well who cannot believe as you do, they have expressed themselves very candidly, you can afford to treat them well. You that profess the principles of Jesus Christ, show it by your works."[8] All which represents fair and gentle treatment towards the brethren so far lost in error.

On the 6th of April following this action of the Church authorities, Morris and his following effected an organization. Five persons were baptized that day, who, with Morris, constituted six members—the number with which the Church of the Latter-day Saints started thirty-one years before. Morris became the

7. The minutes are signed by Wilfred Woodruff as President of the meeting and by Walter Thompson, Clerk. They will be found in full in Hist. of Brigham Young, *Ms.*, Feb., 1861, 58-72.

8. Minutes, Hist. of Brigham Young, *Ms.*, Feb., 1861, p. 72.

head of the new "church" with Richard Cook, the deposed Bishop of South Weber, and John Banks[9] as counselors.

The Morrisites held their property in common; and as they also believed in the immediate coming of the Christ, in power and great glory, when all their needs would be supplied without labor, they neglected the ordinary pursuits of life and gave themselves up to holding meetings and religious ecstacy.[10] It is said that Morris so abounded with revelations that it required three English and three Danish Clerks to work daily in order to record the numerous "revelations" received, which in a short time amounted to six volumes each containing two or three hundred manuscript pages.

The sect rapidly increased in numbers, and they located at a point called Kington Fort, afterwards changed to "Morris Fort." They soon numbered over three hundred, and before the breaking up of the community that number was increased to between five and six hundred.

Several times the day was set for the coming of the Christ, but he did not come, and the repeated disappointments tried the faith of the disciples. There was murmuring among them, and some began to desire to withdraw from the community plan of life, insisting upon taking with them all they had "consecrated to the common fund," without reference, according to pro-Morrisite representation, to what they had consumed while members of the community. This was resented by the community and led to seizure of stock and property by the dissenters, on the one hand, and to reprisals by the Morrisites on the other, in the course of which several of the dissenters were captured and imprisoned at Kington Fort. Finally affidavit was made before Chief Justice Kinney setting forth that one John Jensen and three others were unlawfully imprisoned by Joseph Morris, Richard Cook and John Banks, *et al.* Whereupon his honor

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9. John Banks had been a very effective Elder in the ministry in England, and for a time was associated in the Presidency of the British Mission with Elders Reuben Hedlock (President) and Thomas Ward, 1846-7; but after coming to Utah (1857), he fell into intemperate habits, for persistence in which he had been excommunicated from the Church, in November, 1858. Much depressed by this circumstance he appealed to President Young, and was restored to fellowship in the Church by rebaptism, on the 18th of November of the above year (Hist. Brigham Young *Ms.*, Nov. 1858, p. 1102).

10. Stenhouse, Rocky Mountain Saints, p. 594 and ("Beadle's Life in Utah," p. 415). Both are sympathetic toward Morris.

issued a writ of *habeas corpus* commanding that the parties unlawfully detained be brought before him. The writ was duly served by deputy marshal J. L. Stoddard, but the mandate was not obeyed, the law and the judge were set at defiance, the writ burned, and the marshal threatened and ordered to leave the fort, at the same time being told that no more writs would be served in their camp, "to prevent which," as Marshal Stoddard reported "they had at least one hundred armed men."[11]

On the 10th of June upon the affidavits of H. O. Hanson and Philo Allen, chief justice Kinney issued a second writ of *habeas corpus* directed to the same parties, demanding the forthcoming of the bodies of John Jenson and William Jones, the other two prisoners, associated with these in the former writ, having made their escape;[12] also a warrant was issued by the Judge for the arrest of Morris, Cook, Banks *et al,* on a charge of false imprisonment.

These writs were placed in the hands of Robert T. Burton and Theodore McKean. Henry W. Lawrence, long prominent in Mormon Church and Utah affairs, was Territorial Marshal, but was absent from the Territory, and the serving of the writs devolved, as matter of civil duty, upon Burton and McKean, his deputies. Robert T. Burton a prominent member of the Church of the Latter-day Saints, and also of the Territorial militia, "with great reluctance assumed the responsibility" of serving the writs and making the arrests, "which he was bound to undertake by his oath and bonds of office."[13]

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11. *Deseret News* of June 18, 1862.

12. These men are falsely said by Waite to be "Mormons" (Mormon Prophet, p. 124); whereas, in fact, they were dissenting Morrisites, and this whole affair up to this point was a matter between Morrisites and Morrisite dissenters. For the rest, it was a matter between the law-defying fanatics and the civil authorities. Even Stenhouse declares that when Brigham Young was asked to interfere in the matter, he declined (Rocky Mountain Saints, p. 597). But Stenhouse says that the Morrisite dissenters "applied to the Mormon Courts;" and that "the latter were pleased enough with the opportunity of dealing with the Morrisites" (*Id*). All which is untrue. The application was to the *U. S. Court for the third district of Utah*, the Judge of which was Chief Justice Kinney, appointed by the President of the United States. But this does not prevent Beadle from describing the incident as if it were a battle between "Brighamites" and "Morrisites;" and the Sheriff's *posse* is always referred to as the "Brighamite posse," ("Life in Utah," p. 417, *et passim*).

13. *Deseret News* of March 12th, 1879. This impression of the News contains the account of the trial of Gen. Burton [and his acquittal] for the part he took in the Morrisite incident. Burton declares that he at first declined to serve the writs,

Acting Governor of the Territory, Frank Fuller, being advised that formidable resistance would be made to the serving of the writs called out several companies of the militia to aid the deputy sheriffs as a *posse,* one hundred and fifty being drawn from the Salt Lake county militia, and one hundred from the militia of Davis county.[14] Besides these a great many people of their own volition, under the excitement of the occasion, gathered in the vicinity of the expected conflict, and by Anti-Mormon writers are included in the forces of the Sheriff.[15]

Arriving on the south heights that overlook the little valley in which Kington Fort is located that a written message addressed to Messrs. Morris, Banks, Cook, Parsons, and Klemgard, the parties for whom writs were held, was sent into the Fort, reciting their former resistance to the officers and laws, announcing that other writs were now issued against them, and a sufficient force furnished by the executive of the Territory to enforce the laws. They were therefore called upon to peacefully and quietly surrender themselves and the prisoners they were illegally holding to the processes of the law. An answer was required in thirty minutes after the receipt of the aforesaid notice; if answer was not then made they were warned that forcible measures would be taken to arrest the parties named in the writs. Should they disregard this summons to surrender, and thus put their lives in jeopardy, they were urged to remove their women and children, and all persons peaceably disposed with in the fort were notified to leave, and informed that they could find protection with the *posse.*[16] In addition to this notice sent into the fort, a flag of truce carried by Major Egan and Wells Smith approached the fort anticipating that they would be met by a deputation from the Morrisites, but none came.

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whereupon the Judge sent a second time to him and "somewhat insisted" upon Burton acting in the matter. Record of Burton trial *Deseret News* March 5th, 1879.

14. Burton explained in open court that he asked for the *posse* "thinking if an overwhelming force appeared the writs would be served and complied with without bloodshed ("Record of Burton Trial" *Deseret News* March 5th, 1879).

15. Waite for instance, declares that the original force of the deputy sheriffs was so augmented on the way by these "volunteers" and additional arms "until they approached the settlement of the Morrisites *with a force of about one* thousand well armed men." (Mormon Prophet, p. 125).

16. The document *in extenso* will be found in *Deseret News* of April 15th, 1863.

In the fort the question was discussed as to whether or not the summons of the *posse* should be complied with. Morris withdrew to his dwelling, and soon returned to his assembled following with a revelation forbidding them to yield to the demands of the *posse*, promising them deliverance and the destruction of their enemies, while *"not one of his faithful people should be destroyed."*[17] The people of the fort assembled, the "revelation" was read, but before it could be discussed a cannon ball crashed into the fort killing two women and wounding a young girl. This produced the utmost confusion, until ex-bishop Cook advised all to go to their homes and each man protect himself and family as best he could.

The *posse* had waited much longer than the half hour allowed for compliance with the demand for surrender of the prisoners.[18] The first shot was fired from a cannon, and by direction of deputy sheriff Burton the gunners were ordered to so elevate their guns that the shot would pass over the fort. The same order was given as to the second shot fired, but from the evidence in the case the ball struck short of the fort in a field, bounded into the fort with the result named.

After firing these shots deputy sheriff Burton deployed his men to more effectively close in upon the fort. While making this movement the *posse* was fired upon from the fort and one man killed. Firing on both sides continued through the day. The second day there was a continuous and heavy rain so that little was done. Towards the close of the third day a division of the *posse* took possession of a house near the fort, in doing which another of the *posse* was killed. Shortly after this a man bearing a white flag came out of the fort; all firing ceased; upon inquiry being made by the bearer of the flag as to what was required, he was answered by deputy sheriff Burton that unconditional surrender was required, stacking of the arms, and the surrender of all the men bearing arms. The flagman

17. Statement of John G. Chambers, with Col. Burton's *posse*, Hist. of Brigham Young *Ms.*, June, 1862, p. 574; also testimony of Thomas Abbott and of Robert T. Burton, trial of Burton *Deseret News*, of March 5th, 1879.

18. Rocky Mountain Saints, p. 597. The testimony at the Burton trial was some what conflicting on this point, but the evidence established that some two hours elapsed instead of the 30 minutes between receiving the call to surrender at the fort and the firing of these cannon shots. (See Record of Burton Trial, *Deseret News*, impressions of Feb. 26th, March 5th and 12th, 1879.

with this information returned to the fort, and when it was observed that those within were stacking their arms, Burton, followed by about twenty or thirty of the *posse* immediately at hand, some on foot and others (four) mounted, entered the fort. With his warrant in hand deputy sheriff Burton informed the excited people that the men for whom he held warrants, and all who had borne arms in the fight would be arrested. Some one asked that Morris be allowed to speak to the people, which request Burton granted with the proviso that he be brief and do not incite the people to further resistance. On this the "prophet" stepped forward, raised his arms excitedly, at the same time shouting, *"All who are for me and my God, in life or in death follow me!"* There were cries of "I," "I," and some "to arms," "to arms," and a rush was made for the arms. Burton called upon the maddened crowd to "halt," this, several times; the command not being obeyed he shouted "Stop them boys!" addressing his men, whereupon firing began, Burton himself firing at Morris. Morris was instantly killed; Banks fell wounded; two women were killed by the firing to stop the rush to arms, a Mrs. Bowman and a Mrs. Swanee. This stopped the rush, and Burton ordered firing to cease.

One hundred and forty men were taken to the *posse's* camp, —a number of others had escaped—the women and children of the fort were supplied with food. During the night Banks died.[19] The next day ninety-four of the prisoners were taken to Salt Lake City, the remainder having been released. The prisoners were brought before Judge Kinney who admitted them to bail, the prisoners being allowed to become sureties for each other.[20]

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19. Stenhouse in his mania for finding cases of "blood atonement" against the Church, makes an infamous and utterly unwarranted insinuation respecting this Banks' case: "That Elder John Banks was foully dealt with, there seems little room to doubt. He was wounded at the time of Morris's death, but not fatally. The manner of his 'taking off' only is obscure. In the evening he was well enough to sit up and enjoy his pipe. Suddenly he died. Was he poisoned, shot, or "knifed," is the only query. Those who could answer will not; the confidential statements of others are conflicting." Rocky Mountain Saints, p. 600. Years afterwards Jetter Clinton was arrested on a trumped up charge for the alleged killing of Banks, this in July, 1879, but so flinney was the evidence regarded that U. S. prosecuting attorney for Utah, Philip T. Vangile, that he dismissed the case without allowing it to go to trial. See Court Record Fall of 1879.

20. See *Deseret News* of the 18th and 25th of June for the account current of this affair. The *News* accounts it "the first armed resistance to the laws that has been made in the Territory and trusts that it will be the last."

General Burton after delivering his prisoners to the court was complimented by both Judge Kinney and Acting-Governor Frank Fuller, for the able manner in which he had discharged his duty, and with so little loss of life.[21]

At the following March term of the third district court ninety-six of the accused were indicted by the Grand Jury for resisting the officer, and ten of them for the murder of Jared Smith—the member of the sheriff's *posse* who was killed on the first day's attempt upon the Morrisite fort. A long trial followed at which sixty of the accused appeared in court, the rest having left the Territory. A fine of one hundred dollars was assessed against each of those tried for resistance to the *posse*—the lowest penalty allowed by the law. Seven of the ten indicted for murder were found guilty of that crime, in the second degree. Five of the number were sentenced to imprisonment for ten years each, one for twelve, and one for fifteen years.

The trial of the Morrisite prisoners took place in the month of March,[22] just when popular excitement in Salt Lake City and throughout the Territory was at its height over the attempt of Governor Harding and associate justices Drake and Waite to revolutionize the character of the Territorial government as already detailed in this chapter. The demand for the resignation of these officials and their retirement from the Territory had been made on the 5th of March; and doubtless in retaliation, and to annoy the Mormon people, three days after the conviction of the Morrisites found guilty of second degree murder,

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21. Yet years afterwards General Burton was arraigned before this same district court on a charge of "murder," being accused of killing a Mrs. Bowman, one of the women killed in stopping the rush of the Morrisites for their arms, as detailed in the text above. An indictment was found at the September term of the court, 1870; but the grand jury which framed it was declared illegal by the decision of the U. S. Supreme Court in the Englebrecht case, and therefore the indictment was void. Another indictment was presented at the June term, 1876, and General Burton was arrested in August of that year and placed under $20,000 bonds. His trial did not take place until February, 1879. The case was prosecuted by P. T. Van Zile, the U. S. Attorney for Utah, and his Deputy Attorney, James H. Beatty; and defended by Judge Tilford and Judge Southerland of Salt Lake City. After a trial which attracted wide attention at the time, General Burton was acquitted by a unanimous verdict of *"not guilty"* by a jury half Mormon half Gentile. The full court record of the case will be found in *Deseret News* of the 26th of February, the 5th and 12th of March, 1879.

22. The record of these trials which occupied from the 19th to the 27th of March, 1863, will be found complete in the *Deseret News* of March 11th, 18th, 25th, and April 1st, 1863.

Governor Harding, without assigning any cause for this action, except in the general terms of "*divers good causes me thereto moving,*" granted to each of them "full and perfect pardon" for the offense of which they stood convicted; "and each of them is hereby forever exhonorated, discharged, and absolved from the punishmnet imposed upon them."[23] On the same day the Governor also issued a pardon to the sixty-six offenders who had been fined in the Morrisite cases, for armed resistance to the officers of the law, and discharged them from the "fine, costs, and charges imposed upon them."[24]

The Grand Jury of the third judicial district was in its annual session for the adjudication of causes arising under the laws of the United States," at the time Governor Harding granted this pardon; the Morrisites having begun its session on the 30th of March. "In accordance with a common custom with Grand Juries after concluding their labors, if there exists anything in the district prominently offensive, to call attention of the court and the people to the fact, by solemn presentment, beg leave," said the Grand Jury, "to tender this statement, and ask that it be spread upon the records of the court." Then follows a scathing rebuke of the act of the Governor in pardoning the Morrisite prisoners. It was an able review of the whole subject that the Grand Jury presented, leading to the conclusion that courts are of no avail "when their most solemn and deliberate judgments can be thus summarily ignored and set aside;" that Governor Harding was "an officer dangerous to the peace and prosperity of the Territory;" and that "the crowning triumph of his inglorious career," was the turning loose upon the community a large number of convicted criminals.[25]

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23. The pardon in full will be found in *Deseret News* of April 1st, 1863; it bears date of 31st of March. The prisoners were sentenced on the 27th of the same month.

24. See *Deseret News* of April 8th, 1863, for this second document, also editorial on the subject.

25. The report of the Grand Jury in full is published in *Deseret News* of April 15th, 1863. Judge Kinney who had issued the warrants for the arrest of the Morrisite leaders, being on the bench at the time the Grand Jury made its presentment, added to the record of the Court the following comments: *"Gentlemen of the Grand Jury*: The paper just read by the clerk, is one of great responsibility, presenting the Governor of this Territory as unworthy the confidence and respect of the people. I trust you have fully considered the importance of the step which you as a Grand Jury have felt called upon, under the oaths of your office, to take. I am well persuaded that in no spirit of malice or undue prejudice have you been

After their pardon a few of the Morrisites who had the means to do so, left the Territory; many had found friends and employment among the Latter-day Saints in the Utah settlements, after the collapse of their affairs at Kington Fort; in aid of which natural and desirable ending of the wholly regretable episode. President Young sent out word among the Bishops of the surrounding settlements, "to employ and feed any of them that were disposed to work;" and one of their leading spirits, John Parsons—the one who had read to the assembled Morrisites at Kington Fort the revelation of Morris forbidding surrender to the sheriff's *posse*—went among the scattered groups and read to them this epistle of President Young's to the Bishops. He "told his fellow dupes that they had been grandly humbugged, and as for himself he was going to turn in and work, and he advised them all to do the same."[26] Others of these deluded people, representing the more fanatical and implacable element, found employment at Camp Douglas, where they were patronized by both the army officers and the California volunteers—as also by the civil federal officers of the Territory—as if they were a persecuted and a much abused people. When General Connor established a military post at Soda Springs, in May, 1863, he offered them free transportation under the protection of the marching detachments from Camp Douglas if they would go to the great bend of Bear river, in the vicinity of Soda Springs, and there found a settlement. In response to this invitation about eighty families of these people, numbering in all more than two hundred souls, moved to Soda Springs and founded a settlement. But very little came of this movement; after a time the

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induced to call the attention of the Court and the people to what you regard as the official misconduct of the Executive, but only as the deliberate result of your investigations for the public good. * * * The law and its authority were fully vindicated by the verdicts, but, as you state, the Governor has granted an unconditional pardon. What effect this may have upon the minds of evil disposed persons I know not, but leave the responsibility where it belongs, with the Governor, who, in the exercise of a naked power, has seen proper to grant executive clemency. You have now, as you state, concluded your labors and before discharging you I desire to tender to you the commendations of the Court for your attention and diligence in the discharge of your duties." (*Deseret News* of 15th of April). The judge, also, since this was likely to be the last session of court he would hold in Utah, said a word on his experience as a Judge in Utah, which will be found as *note* 1 end of this chapter.

26. History of Brigham Young, *Ms.*, entry for 24th of June, 1862, p. 594.

followers of Morris began to scatter, and in a few years became absorbed in the general community of the Latter-day Saints.

The same Grand Jury which protested the action of Governor Harding in pardoning the convicted Morrisites also made a presentment against Camp Douglas as a "common nuisance" to a large section of the inhabitants of Salt Lake City, by befouling the waters of Red Butte Canon creek, hitherto used by the said section of the city for irrigation, drinking, and culinary purposes. The number affected was about three thousand people. Part of the proclaimed military reserve encrouched upon the city limits. By establishing its encampment and building its stables and corrals along the course of the aforesaid stream, or diverting its waters, as was done in some instances, to various parts of the encampment, through corrals and thence back into the main stream, the water was materially lessened for needful irrigation, and so befouled as to render its use impossible for drinking and culinary purposes.[27]

A provost-guard was established by General Connor in Salt Lake City, in July, 1864. This was doubtless in pursuance of the policy outlined in his military order No. I, issued at Fort Churchhill, soon after he took command of the military district of Utah and Nevada. "Having been," as he declares, "credibly informed that there were persons within this district who while claiming and receiving protection to life and property from the government, "are endeavoring to destroy and defame

27. For the presentment of the Grand Jury see *Deseret News* of April 15th, 1863. Nothing came of this action of the Grand Jury, and a year later, another Grand Jury addressed another presentment to the Judge of the same district, then John Titus, chief justice. But with the same result. See Hist. of Brigham Young, *Ms.*, entry for April 9th, 1864, p. 245, *et seq.* "Following the municipal law," says Stenhouse, the nuisance "should have been abated." "In the wrath of the moment," he continues, Brigham Young ordered the Mayor of Salt Lake City to "Move Connor and his men out of the city limits;" but represents that A. O. Smoot, the Mayor, so delayed action that by the time his preliminary arrangements were completed, the sober second thought came to President Young, and the costs being counted, the execution of the "order" was not insisted upon. ("Rocky Mountain Saints," p. 609.) In a foot note Stenhouse represents that the "above order" of Brigham Young's was a matter of conversation between Gen. Connor and himself. And in his text he says: "The good sense of Abraham O. Smoot saved Mormonism." And then comments that if the order had been given and executed "probably the garrison would have been 'wiped out,' many of the Mormons would have been killed, and in the course of a few months, volunteers would have poured into Utah from California, and there would have been a bloody settlement of that passionate speech." (*Id.*) I find no authority in any of our annals for this incident, or elsewhere, outside of the statement of Stenhouse.

the principles and institutions" of it, he directed that all commanders of posts, camps and detachments, cause to be promptly arrested and closely confined all persons who should be guilty of uttering treasonable sentiments against the government, and confine them until they should have taken the oath of allegiance. For a second offence they were to be confined and reported to Connor's headquarters. "Traitors," said the closing sentence of the order, "shall not utter treasonable sentiments in this district with impunity, but must seek some more genial soil, or receive the punishment they so richly merit."[29] One can but notice, however, that nearly two years had elapsed after the arrival of Connor's command, before the provost-guard was established in Salt Lake City, and throughout that time Connor's order No. I had been in force. There was no more occasion for establishing that provost-guard in July than there had been in any month in the previous two years; and either General Connor had been guilty of gross neglect of duty in failing to establish it sooner, or he must be adjudged guilty of giving unnecessary offence to a people already sorely tried by ultra officiousness on the part of both military officers and civil federal appointees.

The manner of establishing the post was as provoking, as the presence of the post itself was unnecessary and insulting. A house belonging to the Church opposite the south gates of Temple square was surreptitiously obtained for the headquarters of the guard. The house had been rented "in behalf of the Church" by Bishop John Sharp to Captain Stover for a military store house; but soon afterwards Captain Stover was ordered to Camp Douglas with his stores. and General Connor established his provost-guard headquarters there, over the protest of Captain Stover.[30] Captain Hempsted, editor of the *Union Vedette*,[31]

29. The order bears date of Aug. 6th, 1862, and is published in full in *Deseret News* of Aug. 20, 1862.

30. See account of transaction in Hist. of Brigham Young *Ms.* entries for July, 1864, pp. 537-8; and also pp. 547-8.

31. The *Union Vedette*—(*Vedette*, a sentinel on horse back stationed at some outpost, or on an elevation to watch an enemy and give notice of danger, "*Century Dict.*), was published by officers and enlisted men of the California and Nevada Territory Volunteers." Its first number appeared 30th November, 1863. It was first published as a weekly, but Jan. 5th, 1864, it was triumphantly changed to a daily, the first daily paper published in Utah. Its purpose, as declared in its *Pro-*

a bitter anti-Mormon paper, published at Camp Floyd, was made Provost Marshal. The day previous to taking possession of the aforesaid storehouse—July 10th—as the headquarters of the provost-guard, the *Vedette* had said:

"As to the government, let it be distinctly understood that here or elsewhere, Uncle Sam will have what he wants—when he wants it—under all circumstances—from all people under the flag, and that, too, at his own estimate of what is a fair price!"

And the seizure of this house looked very like the first step in the opening of that policy.[32]

As if to make the military action more insulting and irritating to the Latter-day Saints, a company of cavalry, part of the provost-guard, took possession of the aforesaid house as their headquarters about two o'clock on the atfernoon of Sunday, at the time that crowds of people were entering the Tabernacle for worship[33]

The citizens of Salt Lake City petitioned both Governor Doty and the Mayor and City Council "to adopt such *peaceful measures* as shall remove the said body of cavalry (numbering 76) out of the inhabited portions of the city, leaving its inhabitants to pursue uninterruptedly their peaceful, lawful, industrial vocations." These petitions represented the action of Connor in this matter as "an outrage upon the feelings of the citizens;" and that "to submit to such an outrage without protest" would be

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spectus, was to afford a medium for the representation of "Gentile" as distinguished from "Mormon" opinion; and for combatting "Mormon" misapprehension, and "misrepresentation." It was also intended to foster the mining development of the Territory. While its circulation was chiefly confined to Camp Douglas, it also had quite a large circulation among Gentile merchants and dissenting or apostate Mormons. In less than a year, July 4th, 1864—as a foil to the *Vedette* the *Daily Telegraph* was published of which Thos. B. H. Stenhouse was proprietor and editor in chief. Mr. Thos. G. Webber was its business manager and John Jaques the associate editor. A semi-weekly edition was begun in October following the founding of the daily. These two papers occupied the same relative position as the *Valley Tan* and the *Mountaineer* of an earlier date.

32. There can be no doubt but that the utterance of the *Vedette* was the "law of war." President Lincoln himself announce it so in his letter to the mass convention at Springfield, Ill., in September, 1864, defending his emancipation proclamation: "Is there, or has there ever been any question that by the law of war the property both of enemies and friends may be taken when needed?" Of course the answer is obvious; but that is the law of war; in force when war is actually in progress, and there was no war existing in Utah to justify the *Vedette* utterance.

33. Letter of Geo. A. Smith to Joseph F. Smith, copied into Hist. Brigham Young *Ms.*, July, 1864, pp. 553-4

to degrade themselves "in the eyes of all freemen."[34] There were no "peaceable measures," however, by which the provost-guard could be removed from the city, so it continued at its station for some time, only to demonstrate its uselessness by the few cases that came before it; and these but such as were provoked by the existence of the station, rowdy boys and a few drunken men being the offenders, who, in a spirit of mere bravado, would yell as they passed it, "Hurrah for Jeff Davis!" or some such manifestation of bragadocio. No serious cases came before the Provost Marshal.

The creation of the guard station is said by Stenhouse to have resulted from the "*Deseret News,* the Church organ,", being intensely "copperhead," and chronicling the reverses of the Union arms with undisguised pleasure; and that "by way of correction General Conner established a provost guard in the City."[35] In a foot note he associates with this statement a further one to the effect that some leading men represented to Brigham Young that the course of the *News* would provoke difficulty with the troops—"and it is true," he adds, "That at one time they seriously entertained the idea of 'gutting out' the printing office—whereupon President Young published 'a card' disclaiming 'personal responsibility for anything in that paper but what carried his own signature;' " and Stenhouse further adds, that the "necessary sacrifice" of somebody for this anti-Union tone of the *News* led to the "dismissal" of the editor, Hon. Elias Smith.[36] The immediate cause of the "dismissal" was the admission of a communication from Camp Douglas advocating the election of John G. Downey, Copperhead candidate for Governor of California.

Stenhouse is very much confused here in his *data.* In the first place the change in editors of the *News* occurred nearly a year before the provost-guard was established. Elias Smith's editorship of the *News* stopped with the impression of the 23rd of September, 1863, when Albert Carrington succeeded him with Stenhouse—who some years before had held a position on the

34. The Petitions to the Governor and to the Mayor and City Council will be found in Hist. of Brigham Young, *Ms.,* July entries, 1864, pp. 547-505.
35. Rocky Mountain Saints," p. 610.
36. *Ibid.*

staff of the New York *Herald*—as associate. Both Smith's valedictory and Carrington's salutation appear in that number.[34]

Relative to the disclaimer of responsibility by Brigham Young for the utterances of the *News* except for such articles as were signed by himself, the *News* carried a standing notice to that effect through part of the year 1863,—from January 28th, to June 17th, missing but two or three numbers—but no such disclaimer was carried after the latter date, the idea of no responsibility, except for signed articles, having been, by that time, established by the long standing notice. Neither the change of editors for the *News,* nor the "card" of disclaimer by Brigham Young could have any connection with the establishment of the provost-guard, in July, 1864, since they were events that happened nearly a year before.

As to that provost-guard being founded by way of correcting the "copperhead intensity" of the *News,* a careful examination of the editorial tone for several months preceding the founding of the provost-guard, discloses no such "intensity," or even tendency in the *News* editorials.

In the summer of 1864 the *News* was publishing the war reports in a decidedly pro-Union coloring, especially as to the Virginia campaign of Grant's army; and the editorials had taken on a pro-Union tone.[38] Evidently it was not to correct

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37. The alleged offending communication from Camp Douglas admitted into the editorial columns of the *News,* advocating the election of John G. Downey, the "copperhead candidate for Governor of California, appears in the *News* impression of August 26th, 1863. The appearance of this article in the *News* was unfortunate for the reason that the laws of California permitted her volunteer troops, though absent from the state, to vote for state officers, hence the California volunteers at Camp Douglas would be concerned in the election, and in any utterance affecting it. Elias Smith had been connected with the *News* from 1851; and from 9th of March, 1859, to 16th of September, 1863, he had been editor-in-chief, and he avows responsibility for the editorial matter by whom-so-ever written. "Some articles," he remarks, "may have been inserted which were not previously duly scanned, but by whom so ever written, no avoidance is pleased." *Deseret News,* of Sept. 23rd, 1863. Mr. Stenhouse rightly declares that "a more prudent, honorable gentleman than Judge Smith was not in Mormondom". Rocky Mountain Saints, p. 610.

38. This is apparent from the fact that in addition to the general press dispatches published in the *News,* decidedly pro-Union in their spirit, the *News* also published on the 8th of June the war reports from the "Wilderness Battlefields," by the N. Y. *Tribune's* special correspondent,—covering an entire page of that impression of the paper—and a sympathetic editorial upon it. And on the same date the following editorial appeared under the caption—*"Richmond to be Taken:"* "Great preparations are on foot in the Eastern States to honor the taking of the Confederate Capital. Gen. Grant is not advancing quite so fast as to suit the anxie-

"copperhead" tendencies in the *Deseret News* editorials that the provost-guard was established in Salt Lake City. It was, judged from all the circumstances, merely a wanton display of military power, that gratified the restless war spirit of the general commanding the California volunteers, who felt power and recked not of consequence.

The founding of the provost-guard caused considerable excitement in Salt Lake City. It was thought to be the prelude to the establishment of martial law in the city, on some pretext or other; or the seizure of the public stores—this in view of the announcement in the *Union Vedette* that "*Uncle Sam will have what he wants. . . . and that, too, at his own estimate of what is a fair price.*" President Young was at Provo at the time of this action, word of its occurrence reached him about midnight of Sunday, and the next day he returned to the city accompanied by about two hundred mounted men as a guard, under command of David Evans, for there were those who supposed that the founding of the provost-guard in Salt Lake City meant, perhaps, another attempt to arrest President Young by a military force. By the time the city was reached rumor magnified the President's escort of two hundred to five hundred, and later to five thousand. They were quartered in the tithing stores and other buildings then occupying the block immediately east of the Temple square, where by the time of their arrival a considerable force from various parts of the city and from settlements on the north of it had gathered in to protect the rights of the citizens. Finding that there was no peaceful means by which the provost-guard could be removed, except by an appeal to the Secretary of War, Edwin M. Stanton,—which it was thought useless to make—the south entrance to the Temple square was walled up with adobies, and the east and west gates to the square

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ty, but he is reported to have expressed the satisfaction with the occurrence of that event on the 4th of July proximo—the nation's birthday. Vicksburg, capitulated to him on the last Fourth, and Richmond to do so on the Fourth coming would hoist him to the highest pinnacle of fame. Add to these, the capitulation of Charleston on the Fourth of next year, with it the end of the war, and the nation will *Grant* him anything that he pleases to ask for, and he will have a right to ask it. He is in earnest, and has a better show for finishing this terrible struggle than any and all the generals who have preceded him. He seems to have his own way—and that is something." (*Deseret News,* Vol. XIII, p. 288).

opened for entrance to the square and to the Tabernacle, and the flurry of excitement soon subsided.[39]

Almost from the time of his advent into the Territory, General Connor was convinced that there were extensive deposits of the precious minerals in Utah. That conviction found confirmation in the folowing manner: A man of the name of Ogilvie while logging in Bingham Canon found a piece of ore which he sent to General Connor who had it assayed, and found that it contained the precious metals, gold and silver.[40] A few days later a kind of pleasure or picnic party was organized composed of the officers of Camp Douglas and their wives, and a drive made to Bingahm Canon. While encamped here one of the ladies of the party found a piece of ore on the mountain side, the soldiers of the party prospected for the vein, found it, and staked off a mining claim.[41] These two stories if blended no doubt mark the beginning of the history of mining for the precious metals in Utah. Ogilvie and parties from Camp Douglas united in working the first gold and silver mining prospect in Utah, called "The Jordan," this in September, 1863. A few days after the Bingham picnic incident General Connor held a miners' meeting at Gardner's mill, on the Jordan, where the "mining laws" or rules drawn up by the General were adopted, and "Bishop Gardner elected recorder."[42] A mining district was organized and called the "West Mountain Mining District," usually though quite erroneously called the first mining district of Utah, but which in

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39. See Letter of Brigham Young to Daniel H. Wells—then in England—under date of July 16, 1864. Hist. Brigham Young, *Ms.*, entry for July, p. 557-560; also Letter of Geo. A. Smith to Joseph F. Smith (*Id.*), pp. 553-4; also entries under date of 10th, 11th and 12th of July, pp. 537-540.

40. Tullidge's "Western Galaxy," Art. *Mines of the West*: I. Utah Mines, March, 1888, p. 1.

41. This later story is by Stenhouse, who, ignoring or else not knowing the part Ogilvie took in the matter, gives the following account of the initial step of mining history in Utah: "A portion of the horses of the California Volunteers had been sent to Bingham Canon to graze, and with them a company of men as a guard. A picnic party of officers and their wives from Camp Douglas was improvised, and Bingham was selected, as the troops were there. During the rambles of the party on the mountain-sides, this lady, who had a previous acquaintance with minerals in California, picked up a loose piece of ore. The volunteers immediated prospected for the vein, discovered it, stuck a stake in the ground, made their location, and from that hour Utah has been known to the world as a rich mining country." ("Rocky Mountain Saints," p. 713). Bancroft says that Captain Heitz and a party from Camp Douglas—doubtless Stenhouse's picnic party—made the discovery of the argentiferous ore in Bingham in 1863, Hist. of Utah, p. 741.

42. Western Galaxy, p. 1.

Group of Utah Indians 1865

From a Photograph

reality had been preceded by the Lincoln District, organized in 1861 in Beaver County.[43] Later General Conner personally found silver bearing rock at the head of Little Cotton Wood Canon, which was the first known discovery of the precious metal in the Great Wasatch range.[44]

Naturally the General was enthusiastic over the confirmation which these discoveries gave of his conviction of the existence of precious metals in the mountains of Utah, and he hastened to make proclamation of the news to the world, at the same time inviting prospectors and miners to come to Utah to aid in the development of her mineral resources, and gave such orders to the volunteer troops in his military district as would allow them large opportunities for prospecting.[45] Incidently also (or was it

43. While Tullidge puts the organization of the "West Mountain Mining District as occurring "a day or two after" the Bingham canon picnic incident, ("Western Galaxy," p. 1). Bancroft says that the District was organized in December (Hist. of Utah, p. 741). Mr. A. S. Kenner, author of "Utah as it is," (1904) holds that there was a mining district organized in Utah at an earlier date than this. "As far back as 1858," he writes, "it became known that there were great veins and deposits of lead near the young town of Minersville, in Beaver county. . . . It was deemed advisable to work them to some extent for the purpose of keeping the settlers in that and some other parts of the Territory supplied with bullets," etc. Work was begun on a fissure vein, that became known as the "Rollins Lead-mine"; and as work proceeded the "lead" grew harder, which experience taught those who worked the mine could come but from one circumstance—the presence of silver with the lead. There were no available means at hand for separating the metals, however, and the work was not prosecuted to any great extent. Not only was the extraction of ores from the old Rollins lead mine, as it was called, in 1858, the first mining done in Utah by civilized agencies, but the region of country in which it is situated became the first organized mining district in the Territory; this was accomplished in 1861, the name 'Lincoln' being given it, which name was also subsequently given to the old lead mine. It and the adjoining properties have since been worked systematically and thoroughly by capitalized companies representing other parts of the Union as well as Utah, and in the district other locations have been made in later years until now (1904), there are fully 100 recorded claims." ("Utah As It is," p. 323; also Bancroft's Utah, p. 746, *note* 75, where the "Rollins" is referred to as the first silver mine in Utah.

44. Bancroft's Utah, p. 742. "The first shipment of ore from Utah was a car-load of copper ore from Bingham canon, hauled to Unintah on the Union Pacific, and forwarded by the Walker Brothers to Baltimore in June, 1868. In 1864 free gold was discovered in this district by a party of Californians returning from Montana to pass the winter in Salt Lake City. Between 1865 and 1872 the production of gold was estimated at $1,000,000. and up to 1882 the total product was 500,000 tons of ore and 100,000 of bullion, from which was extracted $1,500,000 in gold, $3,800,000 in silver, and $5,000,000 in lead." The output of the precious metals in Utah for 1913 was, gold, $3,581,900; silver, $8,109,450. "Mining of true gold ores on a large scale is on the decline in Utah. In gold yield a steady decrease is noted, due largely to the closing of the Mercur gold mines. This loss has been partly made up, however, by the increase in gold from the copper ores;" [of which copper there was produced in 1913 to the value of $24,884,860]. Report of V. C. Heikes, U. S. Geological Survey, 1913.

45. This in the very first number of the *Union Vedette*: "The general commanding the district has the strongest evidence that the mountains and canons in

his main purpose?) General Connor made this proposed mining development in Utah contribute to what he evidently regarded as his mission in the Territory—*viz,* the subversion of the Mormon Church authority "in temporal and civil affairs." Writing to Lieutenant Col. R. C. Drum, Ass. Adj. Gen. U. S. A., San Francisco, under date of July 21st, 1864, General Connor said:

"Having had occasion recently to communicate with you by telegraph on the subject of the difficulties which have considerably excited the Mormon community for the past ten days, it is perhaps proper that I should report more fully by letter relative to the real causes which have rendered collision possible.

"As set forth in former communications, my policy in this Territory has been to invite hither a large Gentile and loyal population, sufficient by peaceful means and through the ballot-box to overwhelm the Mormons by mere force of numbers, and thus wrest from the Church—disloyal and traitorous to the core—the absolute and tyrannical control of temporal and civil affairs, or at least a population numerous enough to put a check on the Mormon authorities, and give countenance to those who are striving to loosen the bonds with which they have been so long oppressed. With this view I have bent every energy and means of which I was possessed, both personal and official, towards the discovery and development of the mining resources of the Territory, using without stint the soldiers of my command, whenever and wherever it could be done without detriment to the public service."[46]

Assuming that there would be opposition by the Mormon Church leaders to this program of mining for the precious metals, General Connor also thought it necessary to offer *"protection"* to prospectors and to *"warn"* those whom he suspected would make opposition to the opening of the mines, not to use violence; and threatened to try as public enemies those who

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the Territory of Utah abound in rich veins of gold, silver, copper and other minerals, and for the purpose of opening up the country to a new, hardy, and industrious population, deems it important that prospecting for minerals should not only be untrammelled and unrestricted, but fostered by every proper means. . . . The general also directs that every proper facility be extended to miners and others in developing the country; and that soldiers of the several posts be allowed to prospect for mines, when such course shall not interfere with the due and proper performance of their military duties. Commanders of posts, companies and detachments within the district are enjoined to execute to the fullest extent the spirit and letter of this circular communication."

46. Connor's Report to Col. Drum will be found complete in Hist. of Salt Lake City—Tullidge, pp. 328-330.

attempted the use of violence in this matter, and to punish them to the utmost extent of martial law.[47] In this the General went beyond all that was in any way necessary, and assumed the tone and attitude of a military despot, seeking to supplant the civil by the military authority. His whole bearing at this time was one of extreme arrogance, and more likely to provoke than allay the opposition he anticipated.

As already shown in earlier chapters of this History, Brigham Young was opposed to his people rushing to the gold mines of California in 1849, and also in the early years of the decade following. He held that such a course was foreign to their mission, since they had settled in the Great Basin to found a city and a commonwealth to which their co-religionists, scattered in all the world, might be gathered and become a great and a mighty people in the midst of the Rocky Mountains, in fulfillment of the prediction of their first prophet.[48] President Young was equally and consistently opposed to any policy that would likely result in the Latter-day Saints being overwhelmed by incoming hordes of adventurers and semi-desperadoes of the surrounding western states and Territories, attracted by the supposed opportunities for the sudden acquirement of wealth, which the opening of mines of the precious metals would give. And hence whenever reference was made to the existence of the precious metals in the mountains surrounding Salt Lake City—and such reference was common, before the Connor days—Brigham Young discouraged the consideration of the subject, pointed out to his people the danger to them as a community that lurked in the opening of the mines at that time; and urged the postponement of such enterprises until a later day, when such dangers as then existed would not menace their community life; to a day when the Latter-day

47. "The mines are thrown open to the hardy and industrious, and it is announced, that they will receive the amplest *protection* in life, property and rights, against aggression from whatsoever source Indian or white. . . . "In giving assurance of entire *protection* to all who may come hither to prospect for mines, the undersigned wishes at this time most earnestly, and yet firmly, *to warn all*, whether permanent residents or not of this Territory, that should *violence* be offered, or attempted to be offered to miners, in the pursuit of their lawful occupation, the offender or offenders, one or many, *will be tried as public enemies, and punished to the utmost extent of martial law.*" (Circular issued from Camp Douglas date of March 1st, 1864. A copy will be found in Tullidge's Hist. of Salt Lake City, p. 327).

48. See this History, chapter XLVI.

Saints would be sufficiently strong, numerically—notwithstanding the presence of a large non-Mormon population following mining or other pursuits—to give the dominant moral and spiritual tone to the community life that would result from and be characteristic of that high purpose that had brought them in the first instance to the Great Basin of the Rocky Mountains. Brigham Young had seen wave after wave of the gold seekers of "'49" and the early "'50's" pass over the mountains and valleys occupied by his people, and they had survived as a community by accepting his counsel "not to follow after them." He had seen the evil effects of contact with the military command of Col. Steptoe in 1855-6; and the more serious contact of his people with the army of the Utah Expedition, and the demoralizing effect of the Camp Floyd period; is it any wonder that he had his associates in Church leadership were opposed in the early "'60's" to the incoming of an adventurous, reckless, not to say lawless, mining population, such as then occupied the mining camps of the western states and Territories? And yet, for all that there was no justification for supposing that there would be any resort to violence on the part of the Mormon Church leaders to prevent prospecting for the precious metals or the opening of mines; and General Connor acted unworthy of himself and of his office by assuming the attitude of a petty military despot in the issuance of his circulars on prospecting and mining development in Utah.

At the very time that the first Connor excitement about opening the mines was at its height—September and October, 1863—Brigham Young said:

"If the Lord permits gold-mines to be opened here he will overrule it for the good of his Saints and the building up of his kingdom. We have a great many friends who are out of this Church—who have not embraced the gospel. . . . We have a great many friends, and if the Lord suffers gold to be discovered here, I shall be satisfied that it is for the purpose of embellishing and adorning this Temple which we contemplate building, and we may use some of it as a circulating medium."[49]

49. Discourse at conference in Salt Lake City, Oct. 9th, 1863, Journal of Discourses, Vol. 10, p. 253. Reference to the Temple is of course to the Temple in Salt Lake City.

And the harshest thing Brigham Young ever said of the Connor mining program was a criticism upon the injustice of the government furnishing the supplies for men engaged in prospecting for mines for their own personal advantage, and at the same time giving to the whole proceeding an anti-Mormon bias. This criticism appears in the discourse before quoted.[50] Apart from this, the opposition to General Connor's mining program was confined to puncturing some of the wildly inflated reports respecting the existence of gold in great abundance in Utah. Calling attention to the high cost of living, owing to the scarcity of staple necessaries of life in proportion to the population; and the great expense attending upon mining in Utah.[51] Also urging

50. "I now wish to present a few questions to the congregation, for I think there is no harm in asking questions to elicit information. Do the government officials in Utah, civil and military, give aid and comfort to and foster persons whose design is to interrupt and disturb the peace of this people? and are they protected and encouraged in this ruinous design by the strong arm of military power, to do what they will, if they will only annoy and try to break up the 'Mormon' community? Does the general government, or does it not, sustain this wicked plan? Is there in existence a corruption-fund, out of which government jobbers lives and pay their travelling expenses while they are engaged in trying to get men and women to apostatize from the truth, to swell their ranks for damnation? Is this so, or is it not so? Those who understand the political trickeries and the political windings of the nation, can see at once that these are political questions. Who feeds and clothes and defrays the expenses of hundreds of men who are engaged patroling the mountains and canyons all around us in search of gold? Who finds supplies for those who are sent here to protect the two great interests—the mail and telegraph lines across the continent—while they are employed ranging over these mountains in search of gold? And who has paid for the great number of picks, shovels, spades and other mining tools that they have brought with them? Were they really sent here to protect the mail and telegraph lines, or to discover, if possible, rich diggings in our immediate vicinity, with a view to flood the country with just such a population as they desire, to destroy, if possible, the identity of the 'Mormon' community, and every truth and virtue that remains? Who is it that calls us apostates from our government, deserters, traitors, rebels, secessionists? And who have expressed themselves as being unwilling that the 'Mormons' should have in their possession a little powder and lead? . . . Who have said that 'Mormons' should not be permitted to hold in their possession fire-arms and ammunition? Did a Government officer say this, one who was sent here to watch over and protect the interest of the community, without meddling or interfering with the domestic affairs of the people?" (*Ibid*, pp. 254-255).

51. See *Deseret News* editorial of March 2nd, 1864; and *Id.*, June 2nd, 1864—Relative to the great expense in mining it may be said that blasting powder during the summer of 1864 was $25.00 per keg; twenty-four years later it cost less than one-sixth of that price. The first systematic work done in the Jordan Mine was by commencing a tunnel at a cost of sixty dollars per foot, which twenty-four years later could be done for ten dollars per foot. (*See Western Galaxy*—"The Mines of the West," p. 1. At the Boise mines in the summer of 1863 flour was reported to be worth "$40 per hundred weight; Salt, $35 and $40 per hundred weight; Onions, $60 per hundred weight; Butter, $1 per lb.; Beans, $35 per hundred weight; Bacon, $60 per hundred weight," and everything else in proportion." See Boise correspondent of *Deseret News*, impression of Sept. 23, 1863. Prices did not range that high in Utah, but the above affords some index to what would be the cost of living in the mining districts of the west in those early days of the mining industry.

the members of the Church to remain true to the call of common-sense duty, that of building homes, making farms, planting orchards, establishing home manufactures, developing coal and iron mines—proceeding, in a word, along these more certain and substantial lines of founding a commonwealth, as was becoming in a people laying the foundation for a gathering place for tens of thousands of their co-religionists from every nation of the world. This course was represented as being better for Latter-day Saints than joining in a mad rush for the finding of the precious metals and for the questionable good of suddenly acquired riches.[52]

Happily for the views of the Mormon Church leaders and for the interests of the Latter-day Saints, the mining industry developed gradually,[53] and the discovery of gold was so meagre—

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52. There was evidently great need of holding a steady hand over the members of the Church in respect of rushing into mining for the precious metals. President Young in a Tabernacle sermon thus describes the effect Connor's first announcement had on some members of the Mormon community: "It is a fearful deception which all the world labors under, and many of this people, too, who profess to be not of the world, that gold is wealth. On the bare report that gold was discovered over in these west mountains, men left their thrashing machines, and their horses at large to eat up and tramble down and destroy the precious bounties of the earth. They at once sacrificed all at the glittering shrine of the popular idol, declaring they were now going to be rich, and would raise wheat no more. Should this feeling become universal on the discovery of gold mines in our immediate vicinity, nakedness, starvation, utter destitution and annihilation would be the inevitable lot of this people. Instead of its bringing to us wealth and independence, it would weld upon our necks chains of slavery."

And then alluding to the more substantial process of common-wealth founding, he said:

"Can you not see that gold and silver rank among the things that we are the least in want of? We want an abundance of wheat and fine flour, of wine and oil, and of every choice fruit that will grow in our climate; we want silk, wool, cotton, flax and other textile substances of which cloth can be made; we want vegetables of various kinds to suit our constitutions and tastes, and the products of flocks and herds; we want the coal and the iron that are concealed in these ancient mountains, the lumber from our saw mills, and the rock from our quarries; these are some of the great staples to which kingdoms owe their existence, continuance, wealth, magnificence, splendor, glory and power; in which gold and silver serve as mere tinsel to give the finishing touch to all this greatness. The colossal wealth of the world is founded upon and sustained by the common staples of life." (Discourse of 25th Oct., 1863, *Deseret News,* Nov. 18, 1863.)

53. It was not difficult for General Connor to induce many of his California friends to join him in his mining schemes in Utah. He erected the first smelting, furnace in the Territory at Stockton, Tooele county, 1864; this was soon followed by a number of other furnaces of various kinds. "But the treatment of ores by smelting was a task new to these Californians, and their experience in milling the gold ores of their state was of no service to them in the task. This disadvantage was increased by the fact that charcoal was not abundant, that rates of transportation were excessively high, and both the materials of which the furnaces were built, and those used in the daily operations were very dear. The Californians, unusued to the work failed entirely. A good deal of money was spent with no result, excepting

found chiefly in connection with the less precious but more abundant silver ores—that there was no mad rush of miners to overwhelm numerically the Latter-day Saints in Utah or disturb them in the steady march of their substantial—though slow—progress in empire founding for a highly religious purpose—the assembling of their co-religionists of all nations—the gathering of a modern Israel to whom God would reveal a fullness of his truth, and through whom he would especially manifest his power to the world.

An identification with the material interests of the Territory, perhaps, also, a closer association with the business men of the Mormon Church, seems finally to have lessened somewhat the former intense bitterness of General Connor towards the Mormon Church leaders; and those who quote some passages of the General's reports and circulars in the first two years of his residence in Utah, as showing his distrust of the Mormon Church—"disloyal and traitorous to the core," as he declared it at one time to be; and of the Church leaders whom he proclaimed to be tyrants, spiritual and temporal, will need to consider them in the light of his more conservative attitude in the later years of his residence in Utah.[54] There are good reasons for believing that this man of restless energy, and of such intense loyalty to his country that he could not tolerate a merely passive loyalty, to say nothing of indifference to, or opposition, even in sentiment, to the United States government in its struggle for existence—this soldier, both by instinct and training, in the early months of 1865 underwent a radical change in his attitude towards the Mormon Church leaders and people.

The war between the states was now (1865) rapidly drawing to a close, every one was now conscious of that; Lincoln had been triumphantly elected a second time; his "three word pol-

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the establishment of the fact that the ores were easy to treat. During this time of trial the usual history of new mining fields was repeated, and companies which were organized with high hopes spent large sums and became bankrupt. . . With the failure to work the mines profitably came the disbanding of the volunteer troops in the latter part of 1865-66." "Western Galaxy, Mines of the West," March, 1888, p. 2.

54. We shall see later on that the Provost Marshal of Salt Lake City in the summer of 1864, Captain Chas. H. Hempstead, "was Brigham Young's counsellor and advocate in 1872; and that General Connor offered to go bail for Brigham Young in the sum of $100,000 when he was on trial (1870) in the court of chief justice, James B. McKean." Hist. of Salt. Lake City, Tullidge, p. 330.

icy" towards the Mormons—"*Let them alone*"[55]—made it clearly manifest that he was not their enemy; and it was mutually resolved upon both by "Gentile" Camp and Mormon City to celebrate conjointly the forthcoming inauguration of the Great Emancipator, *and the recent victories of the Union forces.*[56]

Accordingly in the last days of February leading citizens of Salt Lake and officers of the Camp Douglas met and made the necessary arrangements for a conjoint celebration of the event. There was a procession "a mile long" through the principle streets of the city, made up of military and civil officers in carriages and mounted; California volunteers and Mormon militia companies of infantry; and citizens on foot and in carriages. Hon. John Titus, chief justice of the Territory, was the orator of the day, and Hon. W. H. Hooper made the closing address. A. O. Smoot, Mormon Mayor of Salt Lake City, and Geo. A. Smith, of the council of the Twelve Apostles, met on the platform General Connor and Governor Doty. Rev. Norman McLeod, from Camp Douglas, was chaplain of the day. The platform was erected in front of the old city market on First South street; the divisions of the procession were assembled chiefly in front of the platform; the audience gathered "around, and on all sides, completely filling the streets, covering the roofs and hanging out of the windows;" it was "a dense mass of humanity, silent and attentive

55. That such was the policy Lincoln intended to follow is evident from an assurance that he gave to Thos. B. H. Stenhouse, to that effect, mentioned by Brigham Young in a letter to Geo. Q. Cannon, under date of June 25th, 1863; "Since Harding's departure on the 11th inst., (June) without the least demonstration from any party, and only one individual to bid him good bye, the transient persons here continue very quiet, and apparently without hope of being able to create any disturbance during the present administration. They certainly will be unable to, if President Lincoln stands by his statement made to brother Stenhouse on the 6th instant—*viz,* "I will let them alone if they will let me alone." We have ever been anxious to let them alone, further than preaching to them the Gospel and doing them good when they would permit us; and if they will cease interfering with us unjustly and unlawfully, as the President has promised, why of course, they will have no pretext nor chance for collision during his rule." (Mill. Star, Vol. XXV, p. 508).

56. That such was the dual nature of the celebration may be gathered from the resolution adopted by the city council on the 2nd of March: "Whereas, Saturday, the 4th instant, being the day of inauguration of the President of the United States; and, *whereas,* also, by reason of the many recent victories of the armies of our country; therefore be it *Resolved* by the city council . . . that we cheerfully join in the public celebration and rejoicings of that day throughout the United States, and we cordially invite the citizens and organizations, military and civil, of the Territory, county and city to unite on that occasion," etc.

(Signed) A. O. Smoot,
Mayor.

to the proceedings.[57] Later in the day a banquet was given at the City Hall by the City Council to officers from Camp Douglas, Mayor Smoot presiding. The Mayor opened the banquet by proposing "the health of President Lincoln, and success to the Union armies." Captain Hemstead responded in a patriotic speech, and proposed the health of the mayor and civil authorities of Salt Lake City. There were other patriotic toasts and responses, and fire works in the evening. "The day closed," said the *Union Vedette's* enthusiastic and full report of the proceedings, "after a general and patriotic jubilee, rarely, if ever before, seen in Utah." "General Connor," reported Stenhouse, of the *Utah Telegraph,* "was greatly moved at the sight of the tradesmen and working people who paraded through the streets, and who cheered most heartily and no doubt honestly—the patriotic, loyal sentiments that were uttered by the speakers. He wanted difference forgotten, and, with gentlemanly frankness, approached the author with extended hand and expressed the joy he felt in witnessing the loyalty of the masses of the people."[58] He also proposed the discontinuance of the *Union Vedette,* the anti-Mormon paper which had waged fierce war upon the Mormon Church and its leaders, thinking that the changing conditions in Utah required its abolishment."[59]

This celebration of the second inauguration of Abraham Lincoln was the day of rejoicing in Utah, and throughout the United States. In a little more than one month and a half, came the day of mourning in the United States and in Utah—when the assassination of President Lincoln occurred. And as sorrow unites more closely than joy, the hitherto conflicting elements in Utah were drawn into closer union and sympathy than by the celebration of his second inauguration—*viz,* by the observance of the great President's obsequies, on the 19th day of April, the day fixed upon by Congress for such observance throughout the United States. There was the same coming together of Mormon and non-Mormon; of military officers and city and Church dignitaries; a

57. *Union Vedett.*
58. Rocky Mountain Saints, pp. 611-12.
59. *Id.,* p. 612. "The *Vedette* and the *Telegraph* (the latter of which Mr. Stenhouse was the editor) had waged fierce warfare, but peace for the future was resolved upon; and as an evidence of good faith, the General proposed to immediately close the former journal." (*Id.*)

Mormon apostle—Amasa Lyman, and a Christian minister, the Rev. Normon McLeod, delivered fitting eulogies on the character of the illustrious dead, and recounted the mighty achievements of his life.[60] While it was reserved to a Utah poetess of Mormon parentage, to write a Dirge on the Funeral of Lincoln that is not anywhere surpassed in the literature—prose or poetry—that the sad event produced; no, not even Walt Whitman's "O, Captain! My Captain;"[61] And thus in Utah, among the Latter-day Saints and the "Gentiles" as elsewhere throughout the nation was felt the cementing force of the martyred President's death—the unifying effect of a great man's life ending in martyrdom. "Strange (is it not?), that battles, martyrs, agonies, blood, even assassination, should so condense—perhaps only really, lastingly condense—a Nationality." "I repeat it," says Whitman—"the grand deaths of the race—the dramatic deaths of every nationality—are its most important inheritance value—in some respects beyond its literature and art—as the hero is beyond his finest portrait, and the battle itself beyond its choicest song or epic."[62]

NOTE I. JUDGE KINNEY'S EXPERIENCE AS A JUDGE IN UTAH. A VINDICATION OF THE LATTER-DAY SAINTS: . . . "It is possible, and highly probable, that this is the last Court over which

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60. Following is the account of the proceedings published in the *Union Vedette*: "On Wednesday, pursuant to notice, all business was suspended in Great Salt Lake City, the stores, public and private buildings, were draped in morning, and long before the hour named—12 M.—throngs of citizens were wending their way to the Tabernacle to render the last sad, solemn, and heartfelt tribute to the great departed and deeply mourned dead. The Tabernacle was more than crowded, and upwards of three thousand people were present. The vast assemblage was called to order by City Marshall Little, in the name of the mayor, immediately after the entrance of the orators, civil and military functionaries, and a large body of prominent citizens, who occupied the platform. The scene was impressive and solemn, and all seemed to partake of the deep sorrow so eloquently expressed by the speakers on the occasion. The stand was appropriately draped in mourning, and the exercises were opened by an anthem from the choir. Franklin D. Richards delivered an impressive prayer. The address of Elder Amasa M. Lyman was an earnest and eloquent outburst of feeling, and appropriate to the occasion. He spoke for forty-five minutes, and held the vast audience in unbroken silence and wrapt attention.

"The address did credit to Mr. Lyman's head and heart. After another anthem from the choir, Rev. Norman McLeod, Chaplain of Camp Douglas was introduced and delivered one of the most impressive and burning eulogiums on the life, character, and public services of President Lincoln which it was ever our pleasure to hear."

61. See note—end of chapter for this poem.

62. Whitman's "The death of Abraham Lincoln."

I shall have the honor to preside in your Territory. Such are the indications. I have been the chief justice of the Supreme Court of Utah, and Judge of this district most of the time since 1854—having come among you a stranger, but I was treated with kindness, and my authority with consideration and respect.

"Appointed by Mr. Pierce in 1853, and reappointed in 1860 by Mr. Buchanan, and continued in office by Mr. Lincoln, and having held many courts, tried many cases, both civil and criminal, of an important character, I am happy in being able to state that I have found no difficulty in Utah in administering the law, except where its administration has been thwarted by Executive interference.

"Let honesty, impartiality and ability be the characteristic qualifications of the Judge, and a fearless discharge of duty, and he will be as much respected in this Territory, and his decisions as much honored, as in any State or Territory in the Union. And to use an odious distinction, attempted to be made between 'Mormons' and 'Gentiles,' I am also happy in being able to state, that while these parties differing so widely as they do in their religious faith, have been suitors in my Court, the so called Gentile has obtained justice from the verdict of a so called 'Mormon' jury.

"I repeat, gentlemen, that the law is, and can be maintained in this Territory, and that there is more vigilance here in arresting and bringing criminals to trial and punishment, than in any country wherever I have resided.

"In the discharge of my judicial duties I have endeavored to be actuated by a sense of the responsibility of my position; ever keeping constantly in mind that I was among a civilized and enlightened people, who were entitled to the same consideration from the Court, as the people of any other Territory; and that the Court here as elsewhere, should be free from bias and prejudice." (*Deseret News* of April 15th, 1863).

NOTE 2. SARAH E. CARMICHAEL'S DIRGE:—

PRESIDENT LINCOLN'S FUNERAL

Toll! Toll!
Toll! Toll!
All rivers seaward wend.
Toll! Toll!
Weep for the nation's friend.

Every home and hall was shrouded,
  Every thoroughfare was still;
Every brow was darkly clouded,
  Every heart was faint and chill.
Oh! the inky drop of poison
  In our bitter draught of grief!
Oh! the sorrow of a nation
  Mourning for its murdered chief!

Toll! Toll!
Toll! Toll!
Bound is the reaper's sheaf—
Toll! Toll!
Toll! Toll!
All mortal life is brief.
Toll! Toll!
Toll! Toll!
Weep for the nation's chief!

Bands of mourning draped the homestead,
  And the sacred house of prayer;
Mourning folds lay black and heavy
  On true bosoms everywhere:
Yet there were no tear-drops streaming
  From the deep and solemn eye
Of the hour that mutely waited
  Till the funeral train went by.
Oh! there is a woe that crushes
  All expression with its weight!
There is pain that numbs and hushes
  Feeling's sense, it is so great.

Strongest arms were closely folded,
  Most impassioned lips at rest;
Scarcely seemed a heaving motion
  In the nation's wounded breast:
Tears were frozen in their sources,
  Blushes burned themselves away;
Language bled through broken heart-threads,
  Lips had nothing left to say.
Yet there was a marble sorrow
  In each still face, chiseled deep:
Something more than words could utter,
  Something more than tears could weep.

* * * * * * * * * *

Toll! Toll!
Toll! Toll!
Never again—no more—
Comes back to earth the life that goes
Hence to the Eden shore!

Let him rest! it is not often
That his soul hath known repose;
Let him rest!—they rest but seldom
Whose successes challenge foes.
He was weary-worn with watching;
His life-crown of power hath pressed
Oft on temples sadly aching—
He was weary, let him rest.
Toll, bells at the Capital!
Bells of the land, toll!
Sob out your grief with brazen lungs—
Toll! Toll! Toll![63]

63. Sarah E. Carmichael—"Lizzie" Carmichael, as we were affectionately wont to call her—was reared in Utah and of Mormon parents. They were of Scotch descent, and of course emigrated to Utah with the same motive and expectation of finding "Zion" in these "chambers of the mountains" that have induced a hundred thousand souls to leave their native lands to cast their lots with this Zion of the western hemisphere." (Tullidge's Western Galaxy May, 1888, p. 335).

Historic Views and Reviews

The Gettysburg Address.

Frederick William Seward, LL. D., statesman, diplomatist, lawyer, editor, Assistant Secretary of State of the United States, Acting Secretary of State in the cabinets of Presidents Lincoln, Johnson and Hayes, was born in Auburn, N. Y., July 8, 1830. He warned Abraham Lincoln of plot to assassinate him in Baltimore on his way to Washington to be inaugurated in 1861; was nearly murdered by an assassin while defending his father, Secretary of State William H. Seward, April 14, 1865; negotiator of treaty with the West Indian governments, 1867; aided in negotiating for the purchase of Alaska, and for Pago-Pago harbor, Samoa; member of the New York Assembly, 1875; state commissioner at Yorktown Centennial Celebration 1881; president of the Union College Alumni Association 1900; president, Society of the Cayugas 1902; participant in the Semi-Centennial of the Republican party, Saratoga, New York, 1904; member of the International Arbitration Conference in Washington, D. C., 1904; vice-president of the Hudson-Fulton Commission and chairman of Scope Committee 1908-9; author: "Life and Letters of William H. Seward" (1891); "A West India Cruise" (1894).

Mr. Seward was in excellent health at his home at Montrose, on-the-Hudson, New York, at the time he wrote the following interesting letter to the New York *Times*. It throws a strong side light on the immortal document in question and reveals an analogy between the two sentiments as perpetuated in bronze on a tablet in the National cemetery at Gettysbury.—Ed.

A LETTER WHICH SHOWS HOW LINCOLN CAME TO WRITE IT

To the Editor of The New York Times:

Cast in bronze on a tablet in the Gettysburg National Cemetery, adjacent to one carrying the words of Lincoln's Gettysburg Address, are the words of a letter by Judge Will of that town.

It was written in his capacity of chairman of a committee having in charge the dedication of what is now the National Cemetery, and reads as follows:

The several States having soldiers in the Army of the Potomac who were killed at the battle of Gettysburg or have since died at the various hospitals which were established in the vicinity, have procured grounds on a prominent part of the battlefield for a cemetery, and are having the dead removed to them and properly buried.

These grounds will be consecrated and set apart to this sacred purpose on Thursday, the 19th instant. It is the desire that you, as Chief Executive of the nation, formally set apart these grounds to their sacred use by a few appropriate remarks. It will be a source of great gratification to the many widows and orphans that have been made almost friendless by the great battle here to have you here personally, and it will kindle anew in the breasts of the comrades of these brave dead who are now in the tented field or nobly meeting the foe in the front a confidence that they who sleep in death on the battlefield are not forgotten by those highest in authority, and they will feel that should their fate be the same their remains will not be uncared for.

Does not this letter give a pleasing degree of human interest to Lincoln's words? Does it not make manifest the idea that the President was not speaking in any abstract manner, but, with the letter in mind, was responding very directly to thoughts then uppermost in the minds of his auditors? Recalling Judge Will's words, do we not see Lincoln as a sympathetic man handling a subject directly at hand rather than a lecturer on abstruse matters, or anything of an academic sort? Indeed, the wording of the letter might be said to lead very naturally up to his concluding words, "these dead have not died in vain," and, viewed in this light, I think the great Gettysburg address becomes all the more admirable. F. W. Seward.

New York, Feb. 3, 1914.

Anecdote of "Stonewall" Jackson

Editor of Americana:

Dear Sir:—The enclosed anecdote was related to me by a Grand Army veteran who was a witness of the scene. I do not think it has been given to the public.

Sincerely yours,
(Signed) Bertha J. Reynolds,
Stony Creek, Warren County, N. Y.

February 4, 1914.

By one of the charges of Jackson's men at Chancellorsville, May 2, 1863, many northern soldiers were swept as prisoners into the southern ranks. Some were weak and wounded, unable to keep pace with the rapidly marching Confederates. One of these unfortunate men was taken by a burly horseman of the "Cracker" Class, who goaded him onward with jeers and blows, until, bleeding and faint the captive sank by the wayside. Then the captor drew his sabre and, leaning from his saddle inflicted a painful wound upon the helpless Federal prisoner, unheeding the fact that the ranks near them had parted to permit the passage of "Stonewall" Jackson and his staff. Suddenly the General's glance fell on the piteous scene. With flashing eyes and drawn sword, he spurred "Little Sorrel" forward and with one swift blow from the flat of his blade stretched the trooper beside his captive. "No prisoner of war shall be tortured in my presence," thundered Jackson to the dazed "Cracker." "Orderly, see that this Federal has instant attention!" He rejoined his staff and rode onward. A few hours later when word reached the Union prisoners that "Stonewall" Jackson had been mortally wounded, there was one who covered his face that none might know he wept.

"Greek Slave" Brings $1,250

A. T. STEWART PAID $11,000 FOR THE ORIGINAL WORK OF SCULPTOR POWERS

The one-time famous "Greek Slave," the original work by that name of the American sculptor, Hiram Powers, and for which the late A. T. Stewart paid $11,000, was sold at the Anderson Galleries, going to Capt. J. R. Delamar, of New York City and Long Island, for $1,250. There were two replicas of the statue, one of which is in the Corcoran Art Gallery in Washington and the other is in England. The statue was at one time in the Metropolitan Art Museum as part of a loan collection. It went to Mr. Hilton after the death of Mr. Stewart. This was the closing afternoon of the Henry Hilton, Augustus H. Vanderpoel and

Justice Bischoff sale, and the interest centered in the sculpture, most of which brought hardly the value of the marble in the rough. The greatest part went to Capt. Delamar. For "The Bather," by Antonio Tantardini, modern Italian sculptor, a reclining figure 7 feet high, including the pedestal, he paid $130, and "A Fisher Girl," by the same artist, 8 feet, with pedestal, $100. "Zenobia in Chains," 8 feet 9 inches, by Harriet Hosmer, the American sculptor, shown in New York and receiving much praise in 1864, purchased by A. T. Stewart and later in the possession of Henry Hilton, went to Capt. Delamar for $200.

Capt. Delamar also purchased "Flora," by Chauncey B. Ives, a reclining figure holding a wreath of flowers, for $110, and another "Flora," a delicate figure with wind-blown draperies holding masses of flowers in the hands, by Thomas Crawford, for $250. "Paul and Virginia," by the English sculptor, Joseph Durham, went also to Capt. Delamar for $250.

A bust of Washington, by Powers, heroic size, on a pedestal, went to C. Wallis for $100; another portrait bust of the Father of His Country, after Jean Antoine Houdon, with pedestal, brought only $90. A bust of Pauline Bonaparte, after Canova, went for $35. A life-size standing figure of "Sapho," with long draperies and clasped hands, by Richard H. Park, went to A. Beekman for $200, and "Proserpina," by Marshall Wood, the English sculptor, went to the same buyer for $150. A signed bust of Daniel Webster, by J. C. King, American sculptor, was sold on order for $60.

A circular Pompeiian table with a heavy, smooth red marble top and supports of lions' heads, with legs with claws in white marble brought more than any piece of statuary except the "Greek Slave," going to A. J. Good for $320. A Louis XVI commode, elaborate in design, with marble top, a reproduction of one at Fontainebleau, brought the second highest price of the day, going to J. Hertzog for $600.

The returns for the concluding sale yesterday were $8,016, and for the entire sale, $21,816.

Publick Vendue in 1749

FOUR TENEMENTS AT FOOT OF WALL ST., FACING BURNET'S KEY, AT AUCTION

It is not often that the New York papers several years before the Revolution contain references to so many parcels of city property to be sold at auction as in the following notice advertising a "publick vendue" of seven plots in the lower part of the city, four of which are at the foot of Wall street. The notice of the sale was published on May 15, 1749, in The New York Gazette and Weekly Post Boy. The "vendue" was to take place on May 31, and "continue till all is sold." The properties, with their respective locations, were named as follows:

"The Corner House on Burnet's Key, wherein the Widow Susannah Lawrence now lives, being 33 Feet 4 Inches fronting Wall Street Slip, and 29 Feet on Burnet's Key, where it is intitled to Warfage. Also a Storehouse adjoining on the West Side, of 17 Feet 2 Inches front on Wall Street, and the same depth as the other: Likewise two other Tenements adjoining, of 16 Feet 9 Inches each front and 50 Feet 10 Inches deep; both which will be sold either separate or together: Also a Storehouse on Burnet's Key, of 18 Feet front, and 42 Feet deep, besides 9 Feet of Yard, which is likewise intitled to Warfage: A Plan of all the before mentioned, may be seen at Peter Low's near the Long Bridge, at the Merchants Coffee House, and at the Widow Lawrence's aforesaid. Also one other Corner House now in the Tenure of the Widow Rutgers, situate and lying opposite to Mr. Joseph Reade's, by the Meat-Market, where the Ferry Boat now comes, fronting on Queen Street 52 Feet, and on Wall Street 29 Feet 10 Inches, or thereabouts, and exceedingly well situated and convenient for a Store or Shop Keeper. As also one other Tenement situate and being in Smith Street, opposite to the Widow Elizabeth Kierstede's, 23 Feet front, and in Length about 102 Feet from Front to Rear. If any Persons incline to purchase all or any of the said Houses and Lots before the Day of Sale, they may apply to Peter Low in New York, to Cornelius Low at Rariton Landing, or John Low, at Newark, in East New Jersey, who will agree on reasonable Terms. The Title is indisputable."

Burnet's Key was the wharfage at the foot of Wall Street, and for many years a portion of Water Street along Wall was known as Burnet Street. The site of the tenement in Smith Street would now be found in South William Street. Queen Street is now Pearl Street.

Franklin Books Sold

TWO PRINTED BY HIM BRING $725 AND $660 AT THACHER SALE

Two small books, printed in Philadelphia by Benjamin Franklin, were among the rarities in Part II. of the library of the late John Boyd Thatcher of Albany, sold by the Anderson Auction Company.

One of these imprints was "The Minister of Christ and the Duties of His Flock," a sermon by David Evans. It was issued from the Franklin press in 1732. There is no record of a previous sale of it by auction. No copy is in the E. Dwight Church collection of Americana, now owned by Henry E. Huntington. There was spirited competition for it. Dodd & Livingston finally obtained it for $725.

The other Franklin rarity was "Some Considerations Relating to the Present State of the Christian Religion," by Alexander Abscot, two parts in one, 16mo., original sheep binding, Philadelphia, 1731-32. It was knocked down to George D. Smith for $660. It and "The Minister of Christ" are the earliest known books in English containing Franklin's name alone as printer.

W. J. Campbell of Philadelphia, paid $160 for "The Constitutions of the Free Masons," by James Anderson, printed by Franklin in that city in 1734. The original English edition of this work, London, 1723, went to F. W. Morris for $48.

The highest price of the day was $825 paid by Walter M. Hill of Chicago for Richard Hakluyt's edition of Peter Martyr's "De Orbe Nevo," a duo decimo published in Paris in 1587. It contains the first engrossed map with the appellation "Virginia," which is lacking in many copies. The Robert Hoe copy in vellum brought $1,300.

Dodd & Livingston obtained for $200 "The Charter of the City of Albany," printed by Hugh Gaine in New York in 1771, bound in with "Laws and Ordinances of the City of Albany," 1773, the first known book printed in that city. Inserted in the volume is a bill of Hugh Gaine to the Governor of the State. The same bidders paid $51 for the first edition of the proposed charter of Schenectady, and $47.50 for the first edition of that city's adopted charter.

Dr. Joseph Martini gave $62.50 for a first edition of "The Two Bookes of Francis Bacon. Of the Proficience and Advancement of Learning, Divine and Humane," octavo, old calf binding, London, 1605. Cicero's works, from the library of Jean Groller, the celebrated Bibliophile, went to Gabriel Weis for $41. Mr. Smith gave $120 for "An Astrolo-Physical Compendium" by Richard Ball, London, 1794, bound in with "Ptolemy's Quadripartite," by John Whalley, London, 1701. The binding is by Roger Payne, whose original autograph bill for the work is inserted.

Dodd & Livingston paid $365 for a rare "Klaght" or "Complaint" in Dutch by members of the Raritan, N. J., church against their pastor, the Rev. Theodorus J. Frelinghuysen. It is dated New York, 1725, and was the first book printed by John P. Zenger. It is also the only known book containing the imprint of William Bradford and John P. Zenger, the first and second New York printers.

A repaired copy of the first edition of Robert Burns's "Poems," printed at Kilmarnock, Scotland, in 1786, went to Mr. Weis for $131, a remarkably small price for this famous rarity Dodd & Livingston paid $56 for "A Charter incorporating the Inhabitants within the City and Liberties of Hudson," folio, sixteen pages, 1785. This was probably the first book issued in that town.

The sale will be ended to-day. Among the rarities will be a copy of the Montgomerie charter of New York City, 1735, and Clement's map of the Battle of Lake George, printed in Boston in 1756. Only one other copy of this map is known. It is expected to bring a high price.

The Missouri Compromise

FIRST OF DISTURBING ELEMENTS CAUSING THE CIVIL WAR

It was ninety-two years ago that there appeared in our political sky the little patch of cloud, "no bigger than a man's hand," that was to develop into the fearful tempest of the civil war.

The Missouri compromise was the beginning of the Iliad of our woes, the first of the great disturbing elements that were to shake the great republic to its very foundations. When Missouri knocked at the door of the Union, she already had slavery in her midst, originally introduced by the French, and extended by the emigrants who had chiefly come from Kentucky, Virginia and Tennessee, and the anti-slavery sentiment of the north was naturally opposed to her admission. After a long and bitter debate, however, the matter was settled by the agreement that the state was to be admitted with its pro-slavery constituion, but that slavery was prohibited in all the territories north and west of it, down to the parallel of thirty-six degrees and thirty minutes.

It was a solemn moment in our country's life when that compromise became law. The great and good Jefferson was moved to tears, and from his home at Monticello wrote to a friend that the news of the business "fell upon his ears like the sound of a fire-bell in the night."

For thirty years the demon lay comparatively quiet, but in 1850, with the debate over the admission of California, he began to stir and growl. With the compromise of 1850 came the fugitive slave law and the "Underground Railroad" and "Uncle Tom's Cabin"—and the hot passion north and south, which, like Banquo's ghost, would not "down."

Then, in 1853, came Stephen A. Douglas with his Kansas-Nebraska bill. These territories all lay north of 36 degrees 30 minutes, and slavery had been prohibited throughout their extent by the act which admitted the state of Missouri in 1820. Here a real difficulty was got over by repealing the Missouri compromise.

And then the deluge! Like the red lightning of the storm-

cloud, the angry passions leaped and flamed! The Republican party was formed. Lincoln was elected, the south seceded, the war began, and it was soon possible to say with Ariel, "Hell is empty, and all the devils are here!"—Rev. T. B. Gregory in New York *American.*

Unusual Service at Old Trinity

The New York descendants of many old colonial families met in the little chapel of All Saints at Trinity Church Sunday afternoon at five o'clock. The occasion was the first church service of the recently formed New York branch of the Order of Colonial Lords of Manors in America. The services were conducted by Bishop Whitehead of Pittsburg, and the Rev. Dr. Manning, rector of Old Trinity. The Rev. Alexander Hamilton, great grandson of Alexander Hamilton, read the Scripture lesson. Among those present were descendants of such families as the Livingstons, the De Peysters, the Kernochans, the Morris', the Pells, the Fairfaxes, the Van Cortlandts, the Van Rensselaers and the Beekmans. There were also present direct descendants of the families of George Washington and Robert Fulton. In Old Trinity churchyard, outside the little chapel, are gravestones marking the resting places of the ancestors of many of those who were present at the service Sunday.

Old New York Views Sold

PROPERTY OF A DECEASED AMERICAN DIPLOMATIST IN LONDON

By Marconi Transatlantic Wireless Telegraph to the New York Times

London, Feb. 10.—A two days' sale of engravings relating to North America, the property of "a distinguished American gentleman (deceased) long associated with the Embassy at London," was ended at Sotheby's this afternoon. The total amount realized was $2,835.

"New York from Heights near Brooklyn," by W. G. Wall, engraved by J. Hill, large folio acquatint, printed in colors, a

brilliant impression, with full margins, published in New York in 1826, and rare, brought $125.

"Panoramic View of New York," (taken from the North River), drawn, engraved, and published by Robert Havell, Sing Sing, N. Y., 1844, long folio acquatint, printed in colors, a brilliant impression, sold for $160.

The complete set of R. A. Sproule's six views of Montreal, W. L. Leney sculp., colored impressions with full margins, published by A. Bourne in that city in 1830, realized $205.

"De Scheeps Bouwmeester," ("The Ship Builder,") after Rembrandt, engraved by C. H. Hodges, 1802, printed on vellum, a brilliant impression, was knocked down for $350.

Recalls the "Wide Awakes"

ORGANIZATION WAS A POTENT FORCE IN LINCOLN'S FIRST ELECTION

A survivor of the Wide Awakes, an organization which was a potent force in the first election of Abraham Lincoln, contributes to the Springfield (Mass.) Republican some interesting reminiscences of the enthusiastic body, which had its branches in almost every city and big town of the north. The Boston *Transcript,* in commenting on the Wide Awakes, recalls that the uniform consisted of a cap and large cape of enameeld cloth with the name of the organization stamped in large letters thereon. The torch was a small tin fount with a burner and wick for kerosene attached to the end of a stick about the length of a broom handle. It was not simply an occasional corps, but did more or less constant drilling and marching through the campaign, and in that experience was born, no doubt, the spirit that a few months later prompted so many enthusiastic young men to offer themselves for the defense of the Union.

In these reminiscences is included a speech that was made to a great gathering of Wide Awakes in New Hampshire by Senator Henry Wilson. At that time it was a common prediction that even if Lincoln were elected he would never take his seat, for with party passions running so high he would certainly be murdered before inauguration. Wilson referred to this and his com-

ment was this paraphrase of Trelawney and the 100,000 Cornishmen:

"And shall Abe Lincoln die, and shall Abe Lincoln die,
Then half a million Wide Awakes will know the reason why."

Such suggestions sank deep in those days. Probably never before, and certainly never since, was the political sensitive nerve of the north so near the surface or so easily played upon. Never since has there been such an earnest and determined band of young volunteers working with such zeal and devotion in a great national and political cause. The contrast with the apathy and indifference which we frequently see to-day among the same classes is too great to be measured. Passion has subsided and the issues are less acute though they may be ultimately hardly less important. This generation has known little about the Wide Awakes. Even the name is seldom heard, but they rendered a service that should give them an honorable place in the history of that exciting period, and as many of them as survive should be given recognition in the centennial of Lincoln, in whose election they were a very helpful if not a deciding factor.

A Rare Revolutionary Document

Solomon Leonard born in England about 1610, appeared in New England about 1635 and lived in Duxbury and Bridgewater in Plymouth colony with his wife, Mary. Their son, John Leonard, one of several children was born in Duxbury about 1635. He married, Sarah Chandler and their son, Israel, born about 1670, married, first, November 2, 1699, Majorie Washburn, and married as his second wife on November 21, 1717, Abigail Washburn, sister of his deceased wife. He made his will, February 6, 1743, and it was proved May 21, 1745, which fix as the date of his deathy early in 1745. He had several children by his first wife, including Samuel Leonard, born about 1710, died in 1792. He married, July 7, 1748, Lydia Besse, of Wareham, and one of

their several children was Samuel Learned, Jr., born August 28, 1753, married May 27, 1777, Deborah Mitchell, daughter of Nathan Mitchell and Ann (Cary) Mitchell. She was born January 14, 1755. Samuel Leonard, Jr., was a minuteman in the Bridgewater militia and marched to the sound of the Lexington alarm in 1775, and in 1776 served in the patriot army in the siege of Boston. He was drafted out of the militia of Massachusetts Bay to serve in the Continental army of 3,000 men to reinforce the 28th regiment, Colonel Benjamin Ruggles Woodbridge, at Ticonderoga, his commission as copied from the original document by Dr. I. A. Lapham, of Milwaukee, Wisconsin, January 29, 1872, and now probably in the archives of the Chicago Historical Society. [See copy below]. On reaching Headquarters at Ticonderoga the following order as taken from Colonel Wheelock's Orderly Book was issued. General Order dated Headquarters, Ticonderoga, October 4, 1776. Samuel Leonard is appointed Quartermaster, vice Quartermaster Douglas, advanced.

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:      Seal of      :
:                   :  State of Massachusetts Bay.
:   Massachusetts   :
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The major part of the Council, J. Bowdoin, B. Greenleaf, Caleb Cushing, J. Winthrop, T. Cushing, John Whetcomb, S. Holten, Moses Gill, Benj. Austin, Jos. Cushing, Henry Gardner, D. Sewall, D. Hopkins, F. M. Dana, Rich'd Derby, Jr.

To Samuel Leonard, Jr. Gentlemen. Greeting:

We, reposing special Trust and Confidence in your Ability, Prudence and Fidelity, do by these presents, Constitute and Appoint you, the said Samuel Leonard, Jr., to be Quarter Master of a Regiment drafted out of the Militia of this State on the Continental Establishment to reinforce the Continental Army at Ticonderoga whereof Ruggles Woodbridge, Esq., is Colonel—You are therefore carefully and diligently to discharge the Duty of a Quarter Master in said Regiment, according to the Military

Rules and Discipline established by the American Congress in pursuance of the Trust reposed in you for which this shall be your sufficient warrant.

Given under our Hands and the Seal of the said State at Watertown the ninth day of July, in the Year of our Lord one thousand seven Hundred and Seventy Six.

By command of the Major
part of the Council.

JOHN AVERY, *Depy. Secy.*

FINE AMERICANA ON VIEW

MARSHALL LIBRARY TO BE SOLD AT AMERICAN ART GALLERIES

The library of Americana formed by Orasmus Holmes Marshall and his son (1813-1884) Charles D. Marshall of Buffalo, N. Y., was placed on exhibition at the American Art Galleries. Its disposal occurred there on March 16, 17, and 18. Orasmus H. Marshall was a founder and one-time President of the Buffalo Historical Society and Chancellor of the University of Buffalo. William L. Stone, the well-known American historian, ranked him with Bancroft, Parkman, Prescott, and Schoolcraft as a writer on historical affairs of the New World, particularly of that part of it which Mr. Marshall emphasized—the early explorers and the Aborigines of Western New York.

Among the many rare works in this library are Richard Blome's "L'Amerique Anglaise," Amsterdam, 1688, with all the maps in unusually good condition; Henry Bouquet's "Relation Historique," Amsterdam, 1769, giving an account of the first victory of the British over the Indians, after they had been taught the use of firearms; the Rev. John C. Ogden's "Tour Through Upper and Lower Canada," printed at Litchfield, Conn., 1799; William Smith's "History of Canada," the first edition, Quebec, 1815, with the slip listing the "Number of Souls in Canada in 1784"; D. McLeod's "Brief Review of the Settlement of Upper Canada," Cleveland, 1841, the first copy sold by auction in twenty years; David Cusick's "Sketches of Ancient History of the Six Nations," Tuscarora Village, 1828, the scarce second edition of which there appears to be only one auction sale record in this

country, and a fine copy of the first edition of "Historiae Canadensis," by Franciscus Creuxius, Paris, 1664.

There are also George Bancroft's copy of Thomas Harriott's "Admiranda Narratio," Frankfort, 1590; Andrew Elliott's "Journal," first edition, Philadelphia, 1803; Comte d'Estaing's "Extract du Journal," Paris, 1782, the only other known public library copies of which are in Harvard University and John Carter Brown University; Louis Hennepin's "New Discovery," J. Long's "Voyages and Travels," London, 1791; Frederick Baraga's "Grammar of the Otchipwe Language," Detroit, 1850, presentation copy by the author to President Millard Fillmore, "the Great Father of the Indians"; Jesuit Relations, 1636-1673; M. Jontel's "Journal Historique," first edition, Paris, 1713; Archibald Kennedy's "State of Affairs of the Northern Colonies," New York, 1754, no copy sold by auction in twenty-eight years; "Voyage au Kentucky," Paris, 1821; Chrestien Le Clercq's "Premier Establissement de la Foy," Paris, 1691; Lezay-Marnesia's "Lettres Ecrites des Rives de l'Ohio," Fort Pitt, 1800-1801; Chevalier Tonti's "Dernieres Decouvertes," Paris, 1697, no copy sold by auction since 1884, and Sagard Theodat's "Le-Grand Voyage du Pays des Hurons," Paris, 1632.

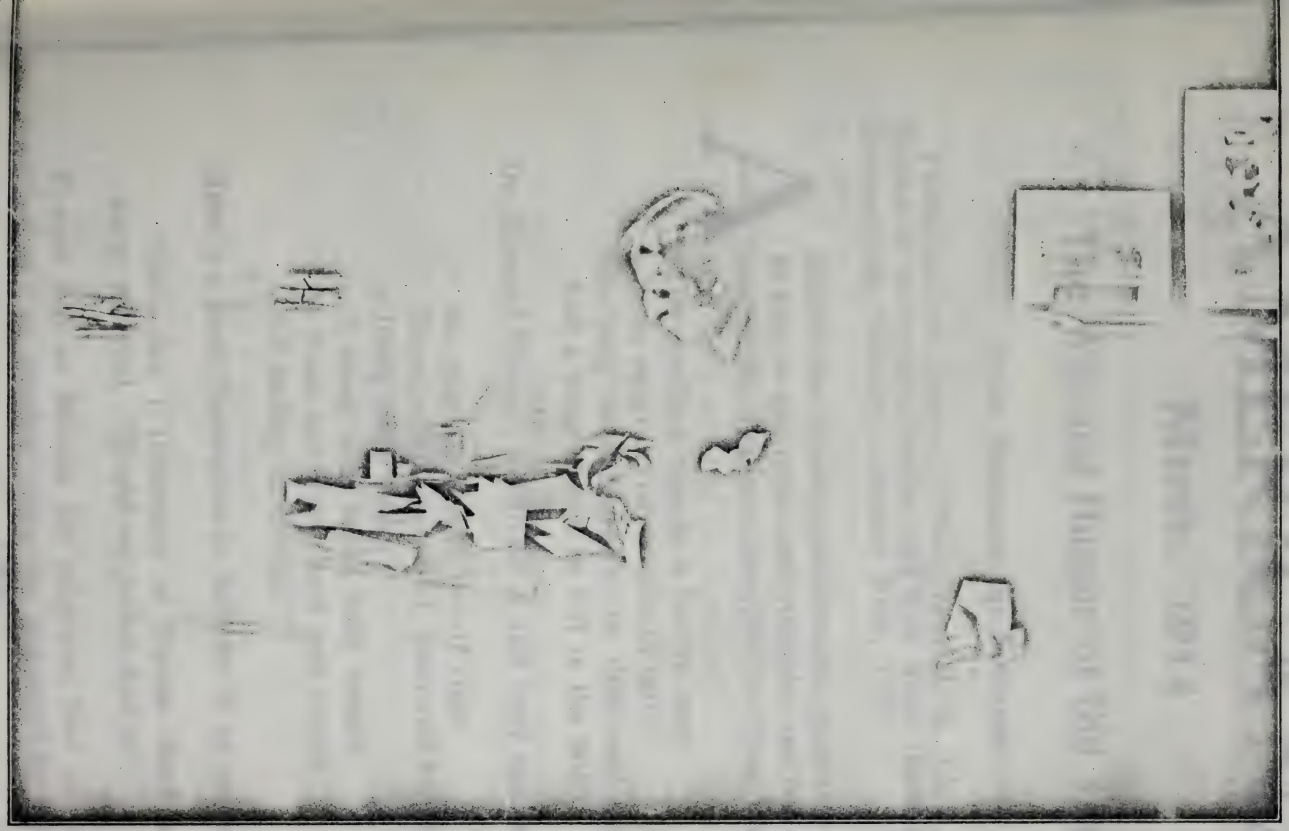
Many of the volumes and letters in this collection were in the library of President Fillmore. Among the noteworthy autographs are President Fillmore's sketch of his life, made at the request of the Buffalo Historical Society; documents signed by John Hancock and Abraham Lincoln, and holograph letters of Alexander Hamilton, David Cusick, and Gen. Samuel H. Parsons of the American Revolution.

Charles B., the son of Orasmus H. Marshall, was adopted by the Seneca Indians as a brother. He was duly installed as a member of the Wolf clan and named "Gaib-wa-gwin-ni-uh," or "The Truth."

The *Salem Press* has placed us in possession of a very valuable, interesting and much appreciated book of nine hundred octavo pages, entitled "The History of Kings County, Nova Scotia." This exhaustive work besides giving an interesting, because little understood, history of the early possession of the

"Arcadian Land" by France and the expulsion of this picturesque race by the English Planters from New England. This volume treats exhaustively of these New England settlers, historically, biographically and genealogically. Two hundred New England names representing as many distinct families and one hundred personal biographies of the most noted of these families make this work of peculiar value to the genealogist. In its pages they will find delightful occupation in tracing in "Arcadia" not only the refugees from New England and New York, who, when hope of the success of the British arms to sustain in the Thirteen Colonies the domination of English rule, failed, foresook their home at the expense of confiscation and planted themselves under the old flag so dear to the loyalists heart, but also the earlier settlers who found in Puritan New England no sympathy with loyalists to the Church which they had hoped to transplant and sustain in the New World, and long before the period of the Revolution selected homes in a land in which the Cross of Christ was respected and the liturgy of the Established Church sustained.

It was from such a family that the author of this work came. John and Anne Eaton, of Haverhill, Massachusetts Bay Colony came from Wilshire, England. David Eaton of the fifth generation, removed in 1751 from Haverhill, Massachusetts, to Tolland, Connecticut, where he married Deborah White, and in 1761 removed with his family to the "Heart of the Arcadia Land." The Rev. Arthur Wentworth Hamilton Eaton, A. M., D. C. L., F. R. S. C., the author of this work, is also the author of "Alexander McNutt, the Colonizer," which appeared as the leading article in AMERICANA, December, 1913. He is of the ninth generation of this family. The work before us comprises History, Biography and Genealogy and has a positive value to all students and devotees of AMERICANA, and is worthy of a place on the shelves of every well equipped American library. A card to the *Salem Press* Company, Salem Massuchusetts, U. S. A., will bring to you not only a full table of contents of this work, but valuable information as to other AMERICANA pertaining to New England, of which the publishers make a specialty.



Our Associate Editor seated at the century-old writing desk, used by both his grandfather and father in their real estate transactions in Tioga County, N. Y. This photograph was taken in the studio of Wardsworth Thompson, the artist who painted pictures of historic buildings and scenes connected with Revolutionary times. His painting of the Old Church at Tarrytown in 1779, is seen over the organ.

AMERICANA

March, 1914

The Wit and Humor of Old Time

Puns, Epigrams and Epitaphs

Paper read by Josiah C. Pumpelly, A. M., LL.B., Associate Editor of Americana, before the New York Genealogical and Biographical Society, January 10th, 1913.

AMONG the Greeks and Romans, epigrams were closely akin to epigraphs and epitaphs, and one and all possessed the qualities described in these lines:

"The qualities rare in a bee we meet
In an epigram never should fail;
The body should always be little and sweet
And a sting should be left in the tail."

Dr. Edward Walsh's definition is also very applicable:

"An epigram should be—if right
Short, simple, pointed, keen and bright,
A lively little thing,
A wasp with taper body bound
By lines, not many, neat and round,
All ending in a sting."

Here is a good illustration in the way of an epitaph:

"Here lies I Dionysius of Tarsus dead at 60. I never married. *Would my father had not.*"

France was so famous for epigrams that she was once described as "an absolute monarchy tempered by epigrams."

American epigrammatists seem to evince more of humor than wit, but their efforts compare well with those from across the water.

Note how the Declaration of Independence scintillates with verbal brilliants:

"blazing ubiquities" as Emerson called them.

In the phrases, "Millions for defence but not one cent for tribute," and "Our Country, may she always be in the right, but right or wrong, our Country," there is the true ring of forceful epigram.

Lincoln's speeches were bundles of barbed shafts full of venom to the wrong and balsam to the right.

In this same vein was the jest of George II. who on being told Gen. Wolfe was mad, said I hope that he "will bite some of my other generals." After Burgoyne's surrender to General Gates at Saratoga, David Edwards wrote the following:

"Burgoyne, alas! unknowing future fates,
Could force his way through woods,
But not through Gates."

Lowell's biting couplet on "The Boss" is also to the point:

"Skilled to pull wires, he baffles Nature's hope,
Who sure intended him *to stretch* a rope."

At the "Sign of the Raven" hotel in Zurich, Switzerland, Longfellow was overcharged for unsatisfactory accommodation, and he contributed to the landlord's book this witty quatrain:

"Beware of the Raven of Zurich,
T's a bird of omen ill,
With an ugly unclean nest
And a very, very long bill."

In the way of puns and rollicking solace, complicated rhyming and unexpected punning we find in Lowell's "A Fable for Critics," the following excellent lines describing Apollo's verbal

reflections on his misfortunes after he had persued Daphne and she had turned into a tree.

" 'My case is like Dido's,' he sometimes remarked;
'When I last saw my love she was fairly *embarked*
In a laurel, as *she thought*—but (ah, how fate mocks)!
She has found it by this time a very bad *box;*
Let hunters from me take this saw when they need it—
You 're not always sure of your game when you've *treed* it.
Just conceive such a change taking place in one's mistress!
What a romance would be left?—when can flatter or kiss *trees?*
And for mercy's sake, how could one keep up a dialogue
With a dull *wooden thing* that will live and will die a *log,*—
Not to say that the thought would forever intrude
That you 've less chance to win her the more she is *wood?*
Ah! it went to my heart, and the memory still grieves,
To see those loved graces all taking their *leaves;*
Those charms beyond speech, so enchanting, but now,
As they left me forever, each making its *bough!*
If her tongue, *had* a tang sometimes more than was right,
Her new *bark* is worse than ten times her old bite.' "

Oliver Wendell Holmes in his "Visits to the Asylum for aged and decayed Punsters" says there is no such thing as a female punster, and that is why this asylum was for men only.

Holmes's account of his visit to the asylum reverberates with the rattle of a corps of conundrummers; and every one of the inmates is ready with his contribution, from the superintendent who explained why "they did not take steppes in Tartary for establishing insane hospitals, because there are nomad people to be found there," to the retired sailor who had gone as mate on a fishing-schooner, giving it up because he "did not like working for two-masters." The most imaginative touch is at the end of the paper when the visitors are introduced to a centenarian inmate, who asks affably, "Why is a—a—a like a—a—a? Give it up? Because it is a—a—a." Then he smiled pleasantly; and the superintendent explained that the ancient man was "one hundred and seven last Christmas. He lost his answers about the

age of ninety-eight. Of late years he puts his whole conundrums in blank—but they please him just as well."

Hood, who is said to have lain on his death-bed "spitting blood and puns," abounded in examples of this sort of fun, "only his analogies are of a more subtle and perplexing kind." To illustrate this assertion Lowell quoted Hood's elegy on the old sailor, whose

> " . . . . head was turned, and so he chewed
> His pigtail till he died."

Another quotation from Hood also won high commendation from Lowell. It was taken from the peddler's recommendation of his ear-trumpet:

> "I don't pretend with horns of mine,
> Like some in the advertising line,
> To magnify sounds on such marvelous scales
> That the sound of a Cod seems as large as a whale.
> There was Mrs. Fins so very deaf
> That she might have worn a percussion-cap
> And been knocked on the head without hearing it snap.
> Well, I sold her a horn; and the very next day
> She heard from her husband in Botany Bay."

While most good puns must be classed as specimens of wit, some few transcendent examples may fairly claim to be specimens of humor—that last line of Hood's, for example. Many other instances might be advanced. A very distinguished British scientist had the foible of inventing thrilling episodes in his own autobiography; and on one occasion after he had spun a most marvelous yarn, with himself in the center of the coil, a skeptical friend looked him in the eye and asked sternly, "Clifford, do you mean to say that this really occurred to you?" Whereupon the imaginative man of science laughed lightly and with a most imperturable assurance calmly answered, "Yes—it just occurred to me;"

But there are sanctities of the mother tongue which should not

be violated and, all too often, people who make puns are like wanton boys who put coppers on the railroad tracks, they amuse themselves and other children, but their little trick may upset a freight train of conversation for the sake of a *battered witticism*:

The following scoring of the three Georges by Landor has nothing in literary sarcasm to surpass it:

> "George the *First* was always reckoned,
> Vile—but viler George the *Second*
> And what mortal ever heard
> Any good of George the *Third?*
> When from earth the Fourth descended
> God be praised the Georges ended."

Just here I may be permitted to insert a few specimens of the Irish bull order of literature as they possess qualities of the ludicrous somewhat similar to epigrams.

Illustrations of Sterne I. 80— A certain barrister left a note in the keyhole of his door directing the finder "If unable to read to carry it to the stationer at the gate, now Messrs. Butterworth's, to read for him."

And again: Grose in his "Olio" states that in May, 1784, a bill was sent from Ireland to London for the royal assent wherein we read that if "any member who from illness or any other cause should be unable to write, might authorize another to frank for him provided that on the back of the letter so franked the member gave under his hand a full *certificate* of his *inability* to write."

And equally good is the incident of the Englishman who wrote in his letter "I would say more but there is a damned tall Irishman looking over my shoulder and reading every word of this." Whereupon the Hibernian exclaimed, "You lie, you scoundrel."

And here are others somewhat similar:

An Irish youth who wished to take singing lessons when told the terms, "Two guineas for the first lesson and for all those thereafter a guinea each, replied, "O bother the first lesson; let us begin with the second."

An Englishman dining with Parson and others, in a talk

about travels, asked his host, "Was Captain Cook killed on his first voyage?"

"I believe he was," said Parson, "but he did not mind *it much and immediately entered on a second.*"

This is as good as Taines's mention in his French Revolution of a certain orator who called loudly to a Parisian mob: "I would take my own head by the hair, cut it off and present it to the despot, and say, Tryant, behold the act of a freeman."

This beats the miracle of St. Denis, who it was said, "Merely thrust his head under his arm and walked a goodly distance with it."

Truly Irish is the reply of a poor Killarneyman when begged by his children not to sell the *family saucepan,* answered, "Ah, me honeys, *I would not be afther* parting with it, *but* for *a little money* to buy a *something* to put *in it.*"

Of all the famous makers of bulls Sir Boyle Roche, member of the Irish Parliament in 1775, ranks first. Speaking of the conditions of the people he says, "Ah, the progress of the times is such that little children who can neither walk nor talk may be seen running about the streets cursing their maker."

During the Irish Rebellion of '98, Sir Boyle writes to a friend: "Having now a little peace and quiet, I sit down to inform you of the bustle and confusion we are in from the bloodthirsty rebels. We are in a pretty mess; when we sit down to dinner we are obliged to keep both hands armed. While I write this letter I have my sword in one hand and my pistol in the other. I concluded from the beginning that this would be the end, and I am right, for it is not half over yet. At present, there are such goings on that everything is at a standstill. I should have answered you letter a fortnight ago, but I only received it this morning—indeed, hardly a mail arrives safe without being robbed.

P. S.—If you do not receive this, of course it must have miscarried; therefore I beg you to write and let me know." One writer remarks on the odd use of English for he says I heard a politician say quite seriously of a certain candidate "If he only takes this stand when he runs he'll *have a walkover.*"

In the way of epigrams and epitaphs there is a goodly supply

of lampooning and verses directed against the scolding wife, the rascally lawyer, the tedious parson, the quack doctor and the miser, and from this I have chosen those only which have in them, like the bee, those two needful elements, humor and wit. For instance, Dodsley writes thus: as to Marriage in Heaven

"Sylvia cries to a reverend dean,
What reason can be given,
Since marriage is a holy thing,
Why there is none in Heaven?

There are no women, he replied—
She quick returns the jest,—
Women there are but I'm afraid
They cannot find a priest."

The following bit of feminine argument is also good.

Mitchener gets into an argument with Mrs. Farrell, the charwoman. Mrs. Farrell protests against the general's *violent language.* He replies:

"When a man has risked his life on eight battlefields, Mrs. Farrell, he has given sufficient proof of his self-control to be excused a little strong language."

"Would you put up with strong language from me?" says Mrs. Farrell, "because I've risked me life eight times in childbed?"

"My dear Mrs. Farrell, you surely would not compare a risk of such harmless domestic kind to the fearful risks of the battlefield?"

"I wouldn't compare risks run to bear livin' people into the world to risks run to blow them out of it," replies the charwoman. "A mother's risk is jooty, a soldier's is nothin' but divilmint."

"Let me tell you, Mrs. Farrell, that if the men didn't fight the women would have to fight themselves," says the general. "We spare you that, at all events."

"You can't help yourselves. If three-quarters of you was killed we could replace you with the help of the other quarter. If

three-quarters of us was killed, how many people would there be in England in another generation? If it wasn't for that the men'd put the fighting on us just as they put all the other drudgery what would you do if we was all killed? Would you go to bed and have twins?"

And here follows a verse by Byron on a woman who kept her money in her Bible:

"Your Bible, madam, teems with wealth,
Within the leaves it floats,
Delightful is the sacred text,
But *heavenly the Notes.*"

In Humorous Epitaphs, we have much to interest us, though not in those of the Egyptians, which were simply short statements lauding the gods and the pedigrees of the kings, but the Greek and Roman were full of point and wit and from them, especially the Latin, we have received the germ idea of all our mortuary inscriptions. In England, back as far as the 11th century, these records were all in Latin.

When Reynolds and Sheridan petitioned Dr. Johnson to write an English inscription for Goldsmith's tomb, he indignantly replied, "he would never consent to disgrace the walls of Westminster Abbey with an English inscription."

The epitaph which celebrates the virtues and talents of Lady O'Looney is the greatest thing of its sort in graveyard literature.

"Here lies Lady O'Looney,
Great niece of Burke commonly called
'The Sublime.'
She was bland, passionate and deeply religious;
Also painted in water colors,
And sent several pictures to the Exhibition.
She was first cousin of Lady Jones
And of such is the kingdom of Heaven."

And much of this tenor is the epitaph to Dame Dorothy Silby of Ightham, England:

"She was in the heart a Lydia and in tongue a Hannah,
In zeal a Ruth, in wedlock a Susanna;
Prudently simple, providently wary,
To the world a *Martha* and to heaven a *Mary.*"

Of this same tenor is the following:

"Here lies John Quebecca, precentor to my Lord the king. When he is admitted to the choir of angels whose society he will embellish, and where he will distinguish himself by his powers of song, God shall say to the angels; 'Cease, ye calves! and let us hear John Quebecca, the precentor of my Lord the King.' "

In the advertising line, the following is a unique specimen:

"Sacred to the memory of James H. Random who died Aug. 6, 1800. His widow who mournes as one who can be comforted aged 24 and possessing every qualification for a good wife, lives at ——— street, in this village" (Overland Monthly, VI 138).

A loving widower had this line put on his wife's tombstone:

"The *light of my life has gone out,*" thus having married again he had the following second line added:

"*But I have struck another match.*"

We read of strangely quaint things about funerals in the early days of the Republic, and we cannot but smile when we read how in the house where there was held a funeral, the mirrors were draped to prevent the reparted spirit from taking any part even "through a glass darkly" in the festivities that were to occur.

In 1800 an Englishman on a visit here says of these ceremonies and festivities: "This people are at least generous *to profusion over their dead,* and when the one departed *cannot see or grieve over the waste of these merry mourners,* his former friends enjoy the best in his cellars; and wishing, I suppose, as honest executors, to do justice to all parties, they take care that when the one vault receives their friend's body, the other vault gives up to them some of his earthly possessions."

General Van Rensselaer, to show the despicable character of a certain old resident of Albany, once said of him: "Why! *he even went home sober from his father's funeral.*"

Judge Leonard Gansevoort in describing antique customs to a descendant, exclaimed: "Your great grandfather had a fine

funeral. There was only one man went home sober!" "Who was that?" "Oh! the fact is disgrace enough without mentioning his name."

At that time the thrifty wife was particular to have in readiness the linen grave clothes that would be needed in case of a death in the family and of this custom a humorous incident is recorded in this wise.

One woman made herself a white silk shroud, daintily finished with lace, and every year she rips out the sleeves and remodels them to the prevailing style. One year, as she took it out for its annual rejuvenation, she said: "It is getting horribly old-fashioned anyway, and I don't believe I can bother to make these sleeves over this year. If you see an old-fashioned angel floating through the sky, you'll know its me. You see, the reason I made it was this: I have had to manage all the family funerals for years, and I knew if I should die there would be no end of trouble, and I couldn't imagine what they would do without me. So I have made every preparation I could for them, and they will just have to see to the *rest and get me buried somehow.*"

As to records on tombstones a certain witty onlooker declared "*Oh, yes, there lie the dead*" and as *to the words over their heads,* "Oh, there *the living lie.*"

But they were not really lies, those epitaphs, but rather quaint conceits, some of them too honest for the mourners to bring to the light while the objects of the same were alive.

Herein are we taught that however high guilt and false dealing may lift its brazen front it is never beyond the lightning of scorn, and here on these mouldering stones, wit & ridicule abases pride and stings iniquity, and all of this summed up teaches the lesson that life in harmony with virtue is the only life safe from the contempt of those who survives us.

Note the following by Dr. Swift about a miser:

"His heirs, that he might safely rest,
Have put his carcass in a chest,
The very *chest* in which, they say,
His other *self his money lay.*
And if his *heirs continue kind*

To that *dear self he left behind,*
I dare believe that four in five
Will *think* his *better* half alive."

Note this epitaph on Charles II., by Lord Rochester:

"Here lies our sovereign Lord and King
Whose word no man relied on,
Who never said a foolish thing,
And never did a wise one."

These mortuary records have a value, for sometimes they tell more truly than anything else how the deceased really lived, what was his trade, what his virtues, and what his vices, also what were the conjugal infelicities which marred his brief span on earth.

How to interpret the real meaning of it all may puzzle us as it did the countryman who, seeing on a tombstone the words, "*Sic transit gloria mundi,*" inquired the meaning thereof.

"It means," the sexton answered, "that he was sick transiently and went to glory on Monday."

Epigrams which originally were inscriptions on tombs were invented by the Roman poet Martial.

Poignancy and sting was deemed the necessary characteristic of this kind of verse and to write a perfect one was deemed as difficult as to compose an epic.

The following inscription on a tombstone in York, Maine, has just this quality.

"I was somebody,
Who, *is no business of yours.*"

As to what a baby was deemed worth in a certain family, we have this record from a tombstone in Iowa.

"Beneath this stone our baby lies,
He never cries nor hollers
He lived just one and 20 days
And cost us 40 dollars."

And here is something about a woman who in life was a great gossip:

"Tread softly, reader, lest you wake,
The greatest talker that e'er spake;
'Tis chance, but if her dust you move,
Each atom there a tongue may prove;
And tho' she rises all alone,
You'll think it a *general resurrection.*"

Epitaphs also often misstate the facts to a ludicrous extent as note the following:

"Here lies the remains of Thomas Wilson,
Who died in Philadelphia, March, 1753. Had
he lived he *would have been buried here.*"

Of all the different trades mentioned in mortuary records, that of the printer is most prolific, as note this one written by Benj. Franklin to be used on his own tomb after his death.

"The body of Benjamin Franklin, printer—like the cover of an old book, its contents torn out and stripped of its lettering and gilding—lies here, food for worms. Yet the work itself shall not be lost; for it will appear once more in a new Edition corrected and amended by its Author."

Sometimes the relations of the deceased use the tombstone as a medium for advertising the wares sold by the deceased, as note the following from a Paris cemetery where a small lamp was kept burning under an urn over the deceased's grave, and on the gravestone was this inscription:

"Here lies Pierre Victor Fournier, inventor of the Everlasting Lamp which consumes only one centime's worth of oil in one hour. He was a good father, son and husband. His inconsolable widow continues his business in the Rue aux Trois. Goods sent to all parts of the city. Do not mistake the opposite shop for this."

The next epitaph is still professional, but in a more serious vein. It comes from Laneham church, Nottinghamshire, and is to the memory of James Penant, blacksmith, who died in 1763:

"My tongues and hammers I've resigned
My bellows they have lost their wind,
My fires extinct, my forge decayed
And in the dust my vice is laid;
My coals are spent, my iron gone,
My *nails are drove,* my *work is done.*"

There is a completeness about this that gives one a sense of labor finished, of stillness where aforetime was noise, of a cool, dark place instead of a fiery furnace, and of well earned rest after much toil.

Many people seem to think that the manner of a person's death is the chief thing to hand down to those that come after. In a small country village, if a man died suddenly or was killed, it conferred a sort of distinction on his family which they were loth to relinquish, and therefore they perpetuated it on his tombstone:

"Fear God
Keep the Commandments,
and
Do not *attempt to climb a tree,*
For that's what caused the death of me."

The trade of watch making is often referred to as, note the following from a church in Lyndford, England:

"Here lies in horizontal position
The outside case of
George Routledge . . . Watchmaker,
whose abilities in that line were an honour to his profession. Integrity was the mainspring and prudence the regulator of all the actions of his life. Humane, generous and liberal, his hand never stopped till it relieved distress. So nicely regulated were

all his motions that he never went wrong, except when set agoing by people who did not know his key; even then he was easily set right again. He had the art of disposing his time so well that his hours glided away in one continual round of pleasure and delight till an unucky minute put a period to its existence.

He departed this life,
November 14th, 1802. Aged 57,

Wound up in hopes of being taken in hand by his Maker, and being thoroughly cleaned, repaired and set going in the world to come."

"Thomas Jackson. Comedian

Was engaged 21st December, 1741, to play a comic cast of character in this great theatre—the world—for many of which he was prompted by nature to excel. The season being ended, his benefit being over, the charges all paid, and his account closed, he made his exit in the tragedy of Death, on 17th March, 1798, in full assurance of being called once more to rehearsal, when he hopes to find his forfeits all cleared, his casts of parts bettered, and his situation made agreeable by Him who paid the great stock debt, the love He bore to performers in general."

One records an interesting momento of the time when, in order to give encouragement to the wool trade, every corpse had by law to be wrapped in a woollen shroud. Here is a copy of it:

"Elizabeth Wirr made oath 19th Jan., 1756, that the Body of Anne Squire Deceased Buried in the Church of Wootton was not *wrapt or Bound up with any material, But Sheeps* wool only *and that the Coffin was not lined or Faced with* any thing *but Sheeps Wool.*

"Sworn before me Francis Johnson Vicar of Brook."

Here is an honest confession from Aberdeen, Scotland:

"Here lies Thomas Smith,
And what is somewhat rarish,
He was *born, bred and hanged*
In this *e're parish.*"

Surrey, England.

"Here lies John Higley whose father and mother were drowned in their passage from America. Had they both lived they would have been buried here."

"Sacred to the memory of Anthony Drake, who died for peace and quietness sake. His wife was constantly scolding and scoffing. So he sought repose in a twelve dollar coffin."

The following is especially severe on the Hyde family:

"Here lies Ned Hyde because he died,
If it *had been his sister,*
We should not have missed her
But would rather it had been his father,
Or for the good of the nation,
The whole generation."

This sort of grim humor continues in the following verses:

"Here lies the body of Susan Lawder
Who burst while drinking a sedlitz powder,
Called from this world to her heavenly rest,
She should have waited till it effervesed."

Where a widower cremated his 4 wives and the ashes kept in 4 urns were overturned by some accident, he combined them all in one burial, inscribing on the tomb with the following sentences:

"Stranger, pause and shed a tear,
For Mary Jane lies buried here,
Mingled in a most surprising manner
With Susan, Maria and portions of Hannah."

Near the north porch of Trinity Church, New York, are buried two women, one aged 82, and the other 26 years of age, and their tombstone bears the following record:

"Both old and young as well as we,
Must in due time all buried be.
Under this body of cold clay,
Just in my prime I'm forced to lay."

Wise must be the man who can tell to which of these two women the lines apply, and could decide also at what year a woman is in her prime.

This uncertainty as to meaning reminds one of the following inscription placed over the grave of a lady in Tennessee: "She lived a life of virtue, and died of cholera morbus caused by eating green fruit in the hope of a blessed immortality, at the early age of 21 years, 7 months and 16 days. Reader, Go thou and do likewise."

Whether one who has lived a life of virtue should deem it a goodly reward to die by eating unwholesome fruit in hope of a paradise hereafter, is surely a debatable question.

Ever since the time of the Greeks and Romans it has been a common custom to recount in epitaphs matrimonial quarrels and to dwell particularly on the way the departed had lived. The following from Beamfill, England, (1737), will illustrate this point:

"Between the remains of her brother Edward
And her husband Arthur
Here lies the body of Bridget Applewhaite
Once Bridget Nelson.
After the fatigues of a married life,
Borne by her with incredible patience
For four years and three quarters, bating three weeks,
And after the enjoyment of the glorious freedom
Of an easy and unblemished widowhood
For four years and upwards,
She resolved to run the risk of a second marriage,
But death forbade the banns."

One wonders how her second matrimonial adventure would have turned out. Perhaps even more fatiguing!

"Here lies the Body of Jane Cathew,
Born at St. Colomb, died at St. Ewe;
Children she had five,
Three are dead and two alive;
Those that are dead choosing rather
To die with their mother than live with their father."

The question here naturally arises what sort of a time had the two children who did live with their father?

The story of Mr. James Danner late of Louisville, Kentucky, who was buried by the side of his four wives is told thus:

"An excellent husband was this Mr. Danner,
He lived in a thoroughly honorable manner.
He may have had his troubles,
But they burst like bubbles;
He's at peace now with Mary,
Jane, Susan and Hannah."

The next verse must have been composed by a man much less fortunate.

"Within this grave do lie
Back to back my wife and I.
When the last trump the air shall fill,
If she gets up I'll just lie still."

What the combination of gin and wilfulness may accomplish is told in the following:

"This is to the memory of Ellen Hill,
A woman who would always have her will,
She snubbed her husband, but she made good bread,
Yet on the whole he's rather glad she's glad.

She whipped her children and she drank her gin,
Whipped virtue out and whipped the devil in.

May all such women go to some great fold
Where they through all eternity may scold."

To meet this invective and give an inning to the other side we copy the following:

"Here lies the body of Mary Ford
We hope her soul is with the Lord.
But if for Tophet she's changed this life,
Better be *there than John Ford's wife.*"

Again the man appeals:

"Here lies my wife, a sad slattern and shrew,
If I said I regretted her I should lie too."

In the way of testimony based on experience and mingled with some optimism, we have this:

"She lived with her husband fifty years,
And died in the confident hope *of a better life.*"

In an old cemetery in Kentucky is buried a certain aged spinster who lived heart-whole and fancy-free to the age of 70 years. Her solace, as told by her each week in prayer meeting, was that when this life of pain and disappointment was ended, she hoped during all eternity to peacefully rest on the breast of Abraham. Her friends knowing her heart's desire placed a record in this wise on her tombstone:

"Here the remains of Mary Ann rest,
She has gone to slumber on Abraham's breast.
'Tis very fine for Mary Ann
But rather rough on Abraham."

The following has been often quoted:

"Here lies I and my 3 daughters,
All of drinking of the Chiltenham waters;
If we had stuck to our Epsom salts,
We wouldn't be lying in these yere vaults."

The brother of a girl who made a living by selling eggs thus pays loving tribute to her memory and advertises his own business:

"Here lies the body of Mary McGrayn
Who was so very pure within
She broke the outward shell of sin,
And hatched herself a cherubim.
N. B. Her brother made of sterner stuff
Adds to her business that of snuff."

A certain weird romance of the sea often appears on solitary headstones along our coast. One in Maine reads like an Irish bull:

"Here lies the body of John Mound,
Who was lost at *sea and never found.*"

and again:

"Peter was in the ocean drowned,
A careless helpless creature,
And when his lifeless trunk was found,
It had become salt peter."

Still more terse and tragic are these two lines:

"A bird, a man, a loaded gun,
No bird—dead man—Thy will be done."

"A little boy, a pair of skates,
A hole in the ice—Golden Gates."

For ghoulishness the following stands pre-eminent:

"Here lies old Jones who all his life collected bones,
Till Death, that grim and ghastly spectre,
That all amassing bone collector,
Boned old Jones so neat and tidy,
That here he lies all bona fide."

Of punning epitaphs there are many:

"Here in this grave there lies a Cave
We call a cave a grave.
If cave be grave and grave be cave,
Then reader judge I crave.
Whether doth Cave lie here in grave,
Or grave here lie in Cave;
If grave in cave here buried lie,
Then grave where is thy victory?
Go, reader, and report here lies a Cave,
Who conquers death and buries his own grave."

From the same page where I discovered the above, I quote the following remarkable specimen of rhyme and pun:

"At a tavern one night,
Messrs. More, Strange and Wright
Went to drink and their good thoughts exchange.
Says More, 'Of us three
The whole will agree,
There's only one knave and that's Strange.'

II

'Yes,' says Strange, rather sore,
I'm Sure there's one More,
A most terrible knave and a bite,
Who cheated his mother,
His sister and brother.'
'Oh yes,' replied More,
That is Wright.'"

The following record on an old tombstone in Wales has in it a dry humor roughly characteristic of the Welsh people:

"Under this stone lies Meredith Morgan,
Who blew the bellows of our church organ.
Tobacco he hated, to smoke most unwilling,
Yet never so pleased as when pipes he was filling.

No reflection on him for rude speech could be cast,
Though he made our old organ give many a blast.
No puffer was he though a capital blower,
He would fill double G, and now *lies a note lower.*"

From these rather disjointed remarks, may we not deduce these two important conclusions.

First. That graveyards are the favorite resort of the angel *of regret* and we should all try to so live that our record, be it on marble or in bronze, shall have in it that which shall encourage, and not shock and disappoint those who read the same. One writer has well said: "Whoever has the rich inheritance *of a blameless recollection,* has something no flood of *grief can obliterate,* no fire of *misfortune* destroy. It is *spiritual and cannot perish.*"

Second. That we should see to it that each and every important record of ourselves and family is placed in the hands of some worthy society. For as genealogy is the science of all civilization and all history, and touches on all sides our kinship with our fellow man, then you and I must, as a duty, see to it that our record is so correctly written that when we have passed from this life, no petty spite or malice shall be able to do our memory an injustice. These of you who like myself have come to life's late afternoon, cannot but feel the force of these words, for as Lowell has so well said:

"As life *runs on, the road grows strange,*
With faces new,—and near the end
The *milestones into headstones change,*
And under many a one a friend."

The Alabama Claims

As Settled by Arbitration Forty-two Years Ago

BY DERBY BROWN

FROM the very beginning of the Civil War in the United States, England had evinced strong sympathy with the cause of the Confederate States. The relations existing between the national government and England were not of the most pleasant character, England recognizing the Confederacy as a belligerent and assisting her in many indirect ways. This feeling was due partially to the fact that there still existed the old rivalry and emnity between England and the United States, that had shown itself after the war of 1812, and partially because of the fact that the South supplied England with a great proportion of the raw material needed in her manufactures, and any stoppage of that supply would mean a great loss to English trade. England not only assisted and encouraged the Confederate government and arms by loans and such outbursts of feeling against the north as shown in the Trent Affair, but also allowed and encouraged the building, fitting out and manning of Confederate vessels of war in her ports, which was a flagrant breach of her neutrality laws. It was this that led to the great controversy known as "The Alabama Claims," and so nearly caused war between England and the United States for a third time.

These Anglo-Confederate "pirate" ships, as they have been called, may be divided into two classes: those which were fitted out for war in a British territory and actually began their careers as war ships by sailing from a British port, and those which were fitted out in Confederate territory, but were afforded

the protection of British ports. To this second class belong the "Sumter," "Nashville," "Retribution," "Tallahassee," and "Chickamauga." Of the first class mentioned, and the most important were the "Florida," "Alabama," and "Georgia," which were built, armed and manned within British jurisdiction and to the knowledge of the government. All these vessels inflicted great damage upon United States merchant service, being allowed the whole protection, more or less, of British ports, to coal and provision themselves and to sell captured cargoes in British territory without judicial proceedings. The vessel which wrought the greatest damage, was most daring and the one which was the direct cause of the controversy arising from the supposed breach of the neutrality was the "Alabama."

She was a twin ship to the "Florida," a wooden steam sloop built at 1,040 tons, barque rigged, having two engines of 350 horse power. She was built for the Confederate government by a Liverpool firm, Laird & Son, the proprietor being a member of the English Parliament. The builders of the "Alabama" took every precaution to keep her destination or intended use a close secret, and she was known only as "No. 290," from her number on the list of Laird's steamers. However, the agents of the United States in London became suspicious and the British government was asked to detain and look into the matter of the "290." A great deal of unnecessary delay was encountered but finally an opinion was given by an English court to detain her. But it was too late.

In July, 1862, before the decision to detain her had been concluded, "No. 290" escaped under the pretext of a trial trip. She was not stocked with arms or provisions of war when she set sail from England, but her armament had been forwarded to the Azores where it was met by "No. 290," and transferred to her. "No. 290" had been manned by English sailors when she left Liverpool and she was now joined in Angra Bay by the Confederate commander, Capt. Semmes, his officers and twenty men. Then the Confederate flag was raised, the "No. 290" was re-christened the "Alabama" and she launched upon her famous career of semi-piracy.

The history of Capt. Raphael Semmes, the commander of the "Alabama," has come down to us as one of the most romantic in the tragedy of the Confederacy. He was born in Maryland in 1809, was graduated from the United States Naval academy at Annapolis and served during the Mexican war as a flag-lieutenant and afterwards a commander. He commanded the brig "Somers" in the blockade of the Mexican coast when that vessel was sunk and most of the crew lost. When war broke out between the North and South, he resigned his commission in the United States navy and was put in command of the "Sumter" the first regular vessel of the Confederate navy. A year later he superintended the negotiations for the building and fitting out of the "Alabama" and was given command of her by his government.

With a crew of eighty men, a great proportion of which were British subjects, Capt. Semmes and his ship started a career which hardly has been equalled in the history of the world. The "Alabama" pirated the seas of Union merchantmen for two years to the wonder of the whole world. Everywhere she left a trail of plundered and burned vessels. The United States merchant service was completely demoralized. In the two years' cruise the "Alabama" covered 78,000 miles and captured American merchantmen of which fifty-three were burned, nine released for ransom and one made a tender. The little semi-pirate vessel is said to have destroyed property to the value of $6,000,000, but much greater was the damage she wrought on American ship owners by the heavy war-risk insurance and lack of freight she occasioned, so greatly was she feared by the business concerns of the United States.

There was, moreover, a peculiar element of mystery associated with the cruise of the "Alabama," for in the whole two years no Federal war vessel had ever sighted her. She became the veritable "Flying Dutchman" of the merchant service, however, merchantmen were always on the lookout for her. She terrorized the whole service, as no vessel flying the American flag was safe from her depredations.

At last, on June 11, 1864, the "Alabama" was sighted. She had just completed a long cruise in Pacific waters and had returned, putting into the port of Cherbourg, France, where she

had been discovered by an American vessel. The whole North was excited by the news of the discovery. The government ordered every available vessel to the pursuit, at once, and the United States Steamship Kearsarge, Capt. Winslow commanding, entered Cherbourg and offered battle.

Although his ship was in poor fighting condition, his powder damp and his arms inefficient, Semmes boldly went to meet the "Kearsarge." He was an American, too, trained in an American fighting school and on American men-of-war, and had the American doggedness and pluck although he was fighting under a rebel flag. With eager spectators all along the shores of the harbor, the battle began. The "Alabama" opened the engagement, but after three broadsides from the "Kearsarge," she was disabled and sinking. The wounded were sent off in the only whole boat, and all hands ordered to save themselves. Semmes stood by his ship to the last moment, when the "Alabama," stern foremost, disappeared into the waves. The Confederate flag was never lowered.

The survivors of the ill fated ship were picked up by an English yacht, the "Deerhound," that had been a spectator of the engagement, before the boats of the "Kearsarge" could take any prisoners. Capt. Semmes was carried to London where he was lionized and presented with many honors. He reached the South through Mexico, and, on arriving at Richmond, Va., was commissioned rear-admiral and given command of the fleet guarding the Confederate capital. At the close of the war he practiced law and was appointed a judge. He subsequently became an editor and wrote interesting accounts of his naval exploits. He died in Mobile, Ala., August 30, 1877.

The ravages of the "Alabama" and the other so-called "Anglo-Confederate pirate ships had produced such a bitter feeling against England for permitting a breach of neutrality laws in regards to those vessels, that a diplomatic correspondence was entered in between the United States and England, the United States urging a demand for compensation for losses sustained. American demands for indemnity were refused by the British, and British terms of settlement refused by the United States Senate. The United States agents claimed that

as the "Alabama" had been fitted out in England in every way a man-of-war, except for the absence of armament on board, that the neutrality law which makes it an offense "to equip, furnish, fit out or arm any vessel with the intent that it may be employed in the service of one belligerent" had been broken, and that therefore England was directly and criminally responsible. The British government disclaimed all obligations in that these acts must be proved "coincidently," and as the Confederate vessels had not actually been armed in a British port no breach had been made. Such was the state of negotiations at the end of the Civil war, and the controversy threatened to involve the two nations in a war.

The British government soon saw to what a crisis they were forcing affairs as well as did the United States, and, after some delay, a partial conclusion was agreed upon by the Treaty of Washington, the work of the "Joint High Commission." This commission consisting of ten men, appointed by the United States and Great Britain, met in Washington, D. C., in February, 1871, and in May of the same year the Treaty was signed, by which America's claim for direct and indirect damages in the destruction of vessels and cargoes, expense and prolongation of the war, injuries to shipping and enhanced rates of insurance, were to be submitted to arbitration.

This court of arbitration met at Geneva, Switzerland, in 1871, and in February, 1872, it consisted of five members: Count Federigo Schlopus, Italy, who was made president of the court; Jacob Staempfli, Switzerland; Vicomte d'Itajuba, Brazil; Charles Francis Adams, United States, and Sir Alexander Cockburn, Great Britain; Sir Roundell Palmer was chief counsel for Great Britain, and William M. Evarts, Morrison R. Waite and Caleb Cushing counsel for the United States, the American case being presented by J. C. Bancroft Davis. A set of rules were agreed upon by which their judgments were to be governed, and which stipulated that all findings should be made known to other maritime powers, with the invitation to unite in a general neutrality law.

The court seemed doomed to failure at first, as the United States government still insisted upon its seemingly unjust claims

for indirect or consequental damage, while England, as ever, refused to countenance such claims. After much delay, on September 4, 1872, the court signed the final agreement awarding the United States claims for direct damages, but disqualified its claim for indirect indemnity, except some of the claims in respect of the "Florida" and "Shenandoah," and an indemnity of £3,229,166, was awarded, $15,000,000 approxmately. Following is an extract from the findings of the court: "Due diligence should be experienced by neutral governments in exact proportion to the risks to which either belligerent may be exposed by failure to fulfill the obligations of neutrality on their part." This clause is now the basis of international neutrality laws. It was further decided that England could not justify itself for its diligence in the cases of the "Alabama" and "Florida," but that as the damage wrought by such ships as the "Georgia," "Sumter," "Nashville," etc., could not be distinguished from the indirect and regular depredations of war the British government could not be held accountable in those cases.

The award of the Court of Arbitration was designated as "Indemnity for actual losses sustained by the United States in the field of commerce." The amount was turned over by the British government to Hon. Alexander Gilmore Cattell, former United States Senator, and at this time the financial agent of the United States in London. It was carried by him in person to the United States and deposited in the United States Treasury, thus avoiding any disturbance that might have arisen regarding the rates of international exchange. So closed one of the most peculiar and important controversies in the history of our country, for, aside from preventing war which could not but have been disastrous to the whole world, the decision was significant in that it proved the efficiency of arbitration in settling international differences, and set down a precedent which could not but draw the nations of the whole civilized world into closer relationship.

Rufus Putnam

BY JOHN HOWARD BROWN

" * * whose great military and civil service, surpassed in my opinion, by those of no other man, save Washington and Lincoln alone, has not received its due credit from history."*—Senator *George F. Hoar, March* 18, 1901.

ON the occasion of the celebration of the one hundred and twenty-fifth anniversary of the evacuation of Boston by the British army, March 17, 1776, Senator Hoar, the orator of the day, on reaching that part of his oration in which he stated how General Putnam carried out the plan of General Washington to build entrenchments on Dorchester heights to compel Howe to quit the town of Boston or attack his besieging army, he said: "I shall take no laurel leaf from the pure chaplet of Washington's fame if I give due honor in this transaction to a son of Massachusetts whose great military and civil service, surpassed in my opinion, by those of no other man, save Washington and Lincoln alone, has not yet received its due credit from history. I speak of Rufus Putnam. The story of his part in the expulsion of the British army from Boston, in the fortification of West Point, and in the yet larger transaction of the founding of Ohio, has only lately become known as the diaries of the actors in those transactions have been made public. I am but telling a story I have told once or twice heretofore, and if I live I hope to tell it more than once or twice hereafter.

Rufus Putnam was a millwright. He had no education in his youth except what he got in such moments as he could snatch from a boyhood of hard work, under a stepfather, who was too stingy to allow him candles for study. His stepfather kept a tav-

ern. By blacking the guests' boots he got a few pennies to buy powder and shot, with which he killed patridges that he sold to buy an arithmetic.

At seventeen he was bound apprentice to a millwright in North Brookfield. His new master was kind and generous, and the lad learned his business well. He was a soldier in the old French war and lieutenant-colonel of a Worcester county regiment when the Revolution broke out. He was appointed, against his earnest protest, engineer, to take charge of the works about Boston. Washington afterward said of him, he was the best engineer officer in the army, whether American or Frenchman.

One night he dined with Washington at headquarters in Cambridge. Washington kept him after the rest had gone, and confided to him his purpose. But the ground was frozen solid four feet deep, and it seemed out of the question to entrench Dorchester Heights. Washington declared his purpose to make the attack at all risks, whether the Heights could be fortified or not, before his discouraged army should scatter.

Putnam went back to his own quarters, near Roxbury, at midnight. He saw a light as he passed the quarters of General Heath, and said to an officer who was with him, 'Let's go in and call on General Heath.' When he got in, he saw on a table a book, entitled: Muller's Field Engineering. He had never seen or heard of such a book before. He asked General Heath to lend it to him. Heath peremptorily refused and said he never lent his books. Putnam pressed him, but without success, until at last he said, 'General Heath, you were one of the men who a few weeks ago compelled me against my will to undertake an office for which I told you I was utterly unfit, and now the first chance I have to get any information about its duties, you refuse me.' Heath yielded. Putnam took the book to his quarters. Before he went to bed he glanced over the index. His eye caught the word "chandelier" a term utterly unknown to him in the art of military engineering. Looking at the page he found that a chandelier consisted of four logs sawed off even, so as to stand upright joined by timbers let into them, like the posts of an old-fashioned bedstead, and the space between the sides filled in with bundles of fagots. These would serve the purpose of a rude de-

fence against an attacking force. In an instant Putnam had his plans ready. The next day he had his men at work, gathering the fascines and getting the posts and timbers ready, which could be drawn to Dorchester Heights by a road behind the hill, without, attracting observation from the enemy. They were put in their place in a single night.

When the sun went down on Boston on the fourth of March Washington was at Cambridge and Dorchester Heights, as nature or the husbandman had left them in the autumn. When Sir William Howe rubbed his eyes on the morning of the fifth he saw, through the heavy mist, the entrenchments, on which, he said, the rebels had done more work in a night than his whole army would have done in a month. He wrote to Lord Dartmouth that it must have been the employment of at least twelve thousand men. His own effective force, including seamen, was about eleven thousand. Washington had but fourteen thousand fit for duty. "Some of our officers," said the Annual Register—Edmund Burke was the writer—"acknowledged that the expedition with which these works were thrown up, with their sudden and unexpected appearance, recalled to their minds the wonderful stories of enchantment and invisible agency which are so frequent in the eastern romances." Howe was a man of spirit. He took the prompt resolution to attempt to dislodge the Americans the next night, before their works was made impregnable. Earl Percy, who had learned something of Yankee quality at Bunker Hill and Lexington, was to command the assault. But the power that dispersed the Armada baffled all the plans of the British general. There came "a dreadful storm at night," which made it impossible to cross the bay until the American works were perfected.

You know your own history. You heard as children the mighty deeds "which God performed of old." Without a guide you can follow Sir William Howe and the British army and the fleet to Halifax, to New York, to Philadelphia, to Yorktown and to England. Let me ask you for a moment to follow Rufus Putnam. He served throughout the war. He was a brave officer. He did his duty faithfully and modestly, to the satisfaction of Washington. There were others more conspicuous at the time—Greene and

Gates and Israel Putnam, Marion and Sumter and Schuyler and Arnold. But there is no other man of the time, save Washington alone; there is no other man in American history, save only Washington and Lincoln, to whom it was given to stand by the current of the great river of history and so to turn that current as to decide the fate of his country and of liberty.

But for Rufus Putnam, as we have seen, the expulsion of the power of England from Boston would have depended on the success of an attack by an inferior and undisciplined army on a strongly intrenched force protected by a powerful fleet. If Massachusetts, which was alike the brain and heart of the Revolution, had been held by the English power, who is bold enough to declare that the Revolution would have succeeded, that Burgoyne would have been stayed on his way to New York, that the communication between the North and South could have been kept open, that the French alliance would have been formed, that the courage of the people could have been kept up until victory?

The next important event in Putnam's life is the fortification of West Point. West Point was to the revolution what Vicksburg was to the rebellion. It kept open the communication between New England and the South, as the command of the Mississippi kept open the communication between the East and the West. It was the very heart and centre of the life and power of our confederation.

Rufus Putnam's great work, which entitles his name to be remembered as one of the very greatest in the history of liberty, is the foundation of Ohio and the saving that vast territory from which afterward came five mighty States to freedom forever.

In 1783 he had in his hands a scheme for the settlement of Ohio by veteran soldiers, the inexorable condition of which was the exclusion of slavery. He pressed that scheme upon Washington and upon Congress until, in the spring of 1788, from his house, now standing in Rutland, he issued the call of veteran soldiers to meet in Boston, organized the company, was chosen its superintendent and conducted the first settlers down the Ohio river to Marietta, who voted that the day of their landing should forever be celebrated as the day when Rufus Putnam founded Ohio.

The action of that one man saved from slavery the five great

States, Ohio, Michigan, Illinois, Indiana and Wisconsin, and it is easy to show that but for him the United States today would be a great slave-holding empire."

This was 1901, and the Senator died in 1904 and had no opportunity to tell the story again. The same year in which he delivered the oration he was asked by me to revise a sketch of Rufus Putnam, then in type for insertion in "Lamb's Biographical Dictionary of the United States." This work he cheerfully did and when he read the proof of the revised sketch he asked to have the type, before being distributed, arranged for a "broadside" to be printed suitably for framing, a copy of which he would have placed in the birthplace of Putnam at Rutland, Massachusetts, beside the tablet placed on the walls of the house, by the Sons of the American Revolution, on which occasion, September 17, 1898, he delivered the address: "Rufus Putnam, Founder and Father of Ohio." When he acknowledged the receipt of the two dozen copies sent him by the publisher, he expressed his intention to have it placed by as many Historical societies in New England as would give the "broadside" a position on their walls. The editor of AMERICANA feels that he is only carrying out the expressed intention of the Senator to tell the story "more than once or twice hereafter" by now giving it a wide publicity and make it more accessible to students of American history.

Rufus Putnam, soldier, was born in Sutton, Massachusetts, April 9, 1738; son of Elisha and Susanna (Fuller) Putnam; grandson of Edward (half-brother of Joseph) and Mary (Hall) Putnam, and of Jonathan and Susan (Trask) Fuller; great-grandson of Thomas Putnam, and great-great-grandson of John and Priscilla (Gould) Putnam. His grandfather, Edward Putnam, and General Israel Putnam's father, Joseph Putnam, were half brothers. Rufus Putnam's father died in 1745 and Rufus was taken into the family of his grandfather, Jonathan Fuller, who resided at Danvers, Mass., where he attended school two years. When his mother was married to Capt. John Sadler of Upton, he removed to the inn kept by his stepfather, where he had no school privileges, and when sixteen years old was apprenticed to a millwright in North Brookfield, from that time devoting his leisure

to study. When nineteen years old, he enlisted in Capt. Ebenezer Leonard's company for service on the northern frontier against the French and Indians, and reaching Fort Edward in April, 1757, was made a scout in the company of Capt. Israel Putnam. He declined a lieutenant's commission in 1759 and returned to Massachusetts, settling in New Braintree, where he followed the occupations of millwright and farmer. He was married in April, 1761, to Elizabeth, daughter of William Ayers of Brookfield; she died, 1762. He married secondly, Jan. 10, 1765, Persis, daughter of Zebulon Rice of Westboro, and they made a new home in North Brookfield. With Col. Israel Putnam and other officers of the Colonial army, he explored lands in East Florida granted by Parliament to Provincial officers and soldiers, and in January, 1773, surveyed the supposed grant, which proved to be of no value. He was made lieutenant-colonel of Col. David Brewer's Worcester county regiment on his return to Massachusetts in 1775, joined the American army at Roxbury, and was appointed engineer to take charge of the works about Boston. On the night of March 4-5, 1775, he constructed the fortification on Prospect Hill, Dorchester Heights, a masterly piece of engineering, which compelled the evacuation of Boston, March 17, 1776, saving Washington the necessity of attacking with an inferior force the British army entrenched in Boston. He also constructed fortifications for the defence of Providence and Newport, Rhode Island, in December, 1775. He was transferred to New York when Gen. Israel Putnam commanded that city, and planned its defences. He was appointed chief engineer of the Continental army with the rank of colonel, Aug. 11, 1776, and took part in the battle of Long Island, Aug. 27, 1776, and in the retreats of the army to Harlem and across into New Jersey. He directed the construction of the temporary fortifications that protected the rear of Washington's army and prevented the enemy capturing the baggage trains and stores. Congress, disappointed that New York had fallen into the possession of the British, and fearing for the safety of Philadelphia, questioned the engineering skill of Colonel Putnam and he resigned, Dec. 8, 1776. Washington, however, stated that he was the best engineer in the army, whether American or French. Upon returning

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to Massachusetts Putnam rejoined the army, Dec. 17, 1776, as colonel of the 5th Massachusetts regiment under General Gates, and in the campaign that culminated in the surrender of General Burgoyne's army at Saratoga, Oct. 17, 1777, he bore a conspicuous part. In March, 1778, he superintended the construction of the defences of the Highlands of the Hudson in the neighborhood of West Point, building forts Wyllis, Webb and Putnam, the last being named for him by General McDougall. He also commanded a regiment in Gen. Anthony Wayne's brigade, joining the American forces at Peekskill in June, 1778; and was in active service from the battles of Stony Point to the close of the campaign. He was transferred to Boston where he obtained relief from the government for the Massachusetts troops in 1780, and was engaged from February to July, 1782, in adjusting the claims of citizens of New York for damages caused to their property by the war. He was commissioned brigadier general, Jan. 8, 1783, and at the request of Washington reported a comprehensive plan for fortifying the whole country, which was submitted to congress but not acted upon, owing to the opposition in that body to preparing for war in time of peace. He purchased the confiscated property of Daniel Murray, an absentee, located at Rutland, Mass., in 1780, and made it his home. He was aide to Gen. Benjamin Lincoln in quelling Shays's rebellion in 1787, and represented his town in the general court of Massachusetts in 1787. He planned the settlement of Ohio territory by a company of veteran soldiers from New England in 1782, and in his plans made the absolute exclusion of slavery an inflexible condition. He urged the matter upon President Washington, 1782-87, as shown by his correspondence, and the President in turn urged the scheme upon congress, but could get that body to take no interest in it. Washington therefore secured the appointment of Putnam by congress as surveyor of the Northwest territory, and Putnam sent Gen. Tupper as his deputy to examine the country in the winter of 1785-86. The two veterans met at Putnam's home, Rutland, Mass., Jan. 9, 1786, and planned the meeting of the veteran soldiers of Massachusetts, in Boston, March 1, 1786. When the Ohio company was organized in 1787, Putnam was made the director of all their affairs. He sent Samuel H. Parsons to con-

gress in 1787 to negotiate the purchase, but when he returned unsuccessful, Putnam sent Manasseh Cutler, who secured the act to purchase the territory, including the provision to exclude slavery by the passage of the ordinance, July 13, 1787,—the sum to be paid, as fixed by the measures passed July 27, 1787, to be $1,500,000, the veteran soldiers settling in the territory to surrender their claims for half pay. General Putnam then organized his band of forty-eight men and made the journey to Ohio, reaching Marietta, April 7, 1788, where they made the first permanent settlement in the eastern part of the Northwest territory. The centennial of the settlement was celebrated by the states carved from the Northwest territory, April 7, 1888, when Senator Hoar of Massachusetts delivered the oration, in which he took occasion to give General Putnam his rightful place in the history of the settlement of the Northwest. General Putnam was appointed judge of the supreme court of the territory in 1789, and was commissioned brigadier-general, U. S. A., May 4, 1792, serving with General Wayne in the operations to quell the Indian trouble on the frontier. He was U. S. commissioner to treat with the Indians 1792-93 which led to a treaty with eight Indian tribes at Point Vincent, Sept. 27, 1792. He resigned his commission in the army, Feb. 15, 1793, and was surveyor-general of the United States, 1793-1803; a founder of Muskingum Academy, 1798; a trustee of the Ohio University, 1804-24; a delegate to the Ohio Constitutional convention of 1802 where his determined opposition prevented, by one vote, the introduction of a clause preserving the rights of slaveholders within the state. He was an organizer of the first bible society west of the Alleghanies in 1812. He was the last living officer of the Continental army. His manuscript diary was placed in the library of Marietta college, Ohio. A tablet placed on his house at Rutland, Mass., by the Society of Sons of the Revolution, was unveiled, Sept. 17, 1898, Senator George Frisbie Hoar delivering the address, "Rufus Putnam, Founder and Father of Ohio" (1898). Senator Hoar also delivered the oration "Foundling of the Northwest" at the Marietta Centennial Celebration, April 7, 1888 (published 1895), and the oration published in the "Evacuation Day Memorial, City of Boston" (1901). General Rufus Putnam died in Marietta, Ohio, May 4, 1824.

History of the Mormon Church

By Brigham H. Roberts, Assistant Historian of the Church

CHAPTER CIII

Miscellaneous Events 1857-1865—The Pony Express—Survey of Missionary Activities—Gathering to Zion—End of a Romantic Period

SUCH has been the nature of the events—such their relationship to each other and to the general subject of this writing, that for several chapters both the events themselves and the scenes which constitute their setting have been located in Utah. Remembering that this Church whose story I am detailing is a world-wide church, and embraces other activities than those centering in Utah, it is now proper to call attention to some events, miscellaneous in their character, occurring outside of as well as within, the Territory of Utah.

The first relates to communication with the outside world. This was held to be a matter of highest importance from the Exodus from Nauvoo up to the coming of the electric telegraph line to Salt Lake City, both from the east and the west, and the arrival of the regular fast mail trains which came, of course, with the advent of the railways. That this communication with the outside world was regarded as important by the Latter-day Saints leaders and people is manifest by the adoption of independent express service between the various divisions of their moving camps while en route for the west; in the anxiety to have government established mail and carrying services with the intermountain settlements, the petitions of the Mormon legisla-

ture for both local and trans-continental post roads—all which are refutations of alleged determination on the part of the Latter-day Saints to live in isolation.

In 1859-60 there was established a method of communication which, though it lasted but a comparatively short period, is worthy of mention in a history of these times. This was the Pony Express. The system was organized by W. H. Russell, of St. Louis, and others. The plan was to run a light letter mail across the continent by solitary horsemen, carrying fifteen pounds of letters at $5 per half ounce. The stations were located about twenty-four miles apart, and each rider was required to span three stations at the rate of eight miles an hour as his day's ride. These riders heroically covered their route, "regardless of snows and storms, or savages and beasts of prey, yet not without the sacrifice of life;" the solitary Pony Express rider, some times ambushed, and some times chased down by the savages, yielded his life in the cause of advancing civilization in Western America.

The time for letters between New York and San Francisco was reduced to thirteen days. The actual ride took ten and one-half days; telegraph stations shortened message time to nine days. "The high charges prevented the line from being profitably patronized," says H. H. Bancroft; "it seldom carried over 200 letters, and at times less than 20; the best pay came from a mail contract. Indian troubles brought interruptions. With the completion of the overland telegraph in 1861, the Pony Express was practically abandoned."

The Pony Express service was popular in Utah, and a number of young Mormons were among the most successful and fearless riders. "The Pony Express proves to be quite an institution," wrote Geo. A. Smith, in April, 1861. "The news of the surrender of Fort Sumpter reached here [Salt Lake City] in seven days."[2]

"The Pony Express brings us news from [Fort] Kearney in five days," again writes Geo. A. Smith, in June, 1861; "twice

1. Hist. California, Vol. VII, p. 146. *Note.*

2. This letter was to John L. Smith and is copied into Hist. of Brigham Young, *Ms.*, 1861, p. 165.

a week regularly. The telegraphic wires have been in successfull operation from the states to Kearney all winter; hence our express and telegraphic facilities are greater, and we hear Washington and foreign news much sooner than many points in the western states—this is very different from the days of 'ox-train telegraphs.' When an express arrives the printers have no peace until an 'extra' [*news*] is out, which is generally in six or seven hours, and is looked for by many with intense anxiety."[3]

A Pony Express Club was formed in Salt Lake City, at the head of which was President Young, who with a few other persons and the *Deseret News,* paid for a duplicate of the California press service, and the *News* would get out the "extras" as described above. The expense was such, however, that it was finally determined that the club must be enlarged to 100 paying members, which would reduce the expense to 20 cents per capita per week for such a club, or "ten cents a pony;" and President Young directed that no more *News* "extras" be printed until 500 cash subscribers at 10 cents each per week be listed.[4] Such was the desire for the latest word from "the states" in those stirring war times, however, that the subscriptions were readily obtained, and the duplicate of the dispatches the pony riders were carrying to the Pacific press continued to be taken at Salt Lake City, until the telegraph supplanted the pony system, which, as will be remembered, it did in October, 1861.

To this period belongs an effort or a series of efforts to introduce a new alphabet for the English language, called the *Deseret Alphabet.* It was a laudable effort to simplify the orthography and reading of the English language, "by establishing a determinate and uniform relation between the sign and its sound;" in a word, "a phonetic alphabet." This effort was begun in October, 1853, by the board of regents of the University of Deseret appointing a committee, of whom Parley P. Pratt, Heber C. Kimball and George D. Watt were members, to prepare such a system. Various opinions were entertained, of course, as to what the system should attempt. Parley P. Pratt was in favor of each

3. Letter to the Presidency of the European Mission, Hist. Brigham Young. *Ms.*, 1861, p. 245

4. See Hist. of Brigham Young, *Ms.*, 1861, pp. 245 and 404-5.

letter of the new alphabet representing a single sound, invariably; but this, it was urged, would make the alphabet too cumbersome. At a session of the board of regents in December, 1853, the alphabet was adopted under the name by which it was ever afterwards known, although it subsequently received various modifications. As finally adopted and used to a limited extent, the alphabet consisted of thirty-two letters or sounds, "of which the so-called vocal sounds were eleven, including six long, with short sounds to correspond; four double, and one asperate, and twenty-one articulate sounds."[4½]

As in all things relating to Mormon effort a variety of opinions obtained as to the purpose for which the alphabet was adopted. "Some persons," says *M. Jules Remy,* "have supposed that the object of the alphabet was to prevent access to the Mormon books and writings;" and this in face of all the efforts to give publicity to "Mormon books and writings,"[4½] and their translation into as many languages as possible. Bancroft mentions as an additional motive to simplified spelling and pronunciation of the English language, the further object of exclusiveness—"a separate people wishing to have a separate language, and perhaps, in time, an independent literature;" and this in the face of petitioning—during the time of introducing the alphabet—for the coming of transcontinental telegraph and railroad lines, and repeated efforts for the admission of Utah into the Union, all which would make for closer union of the Latter-day Saints with their fellow citizens of the United States, not exclusiveness, either in community life or literature. There was no other purpose in the adoption of the Deseret Alphabet than a laudable desire to simplify the orthography and reading of the English language, by the substitution of a simple phonetic, for the present complex and confessedly defective, alphabet. The attempted innovation, however, was not successful; the difficulty of application, involving the effacement of etymologies and the disconnection of roots from their derivatives, together with the limitations of the community, making the experiment, making it abortive.

4½. History of Deseret University Ms. pp. 1-35 *passim,* quoted by Bancroft, Hist. Utah, p. 712. Note.

4⅓. A journey to Great Salt Lake City—French—1861, Vol. II, p. 184.

The characters were a Mormon invention. Captain Burton saw in them, however, a stereographic modification of Pitman's and other phonetic systems, and appeals to the *fac-simile* of the characters which he publishes.[4¼] Bancroft declares them to be borrowed from the Greek, and appeals to the characters, a *fac-simile* of which he also publishes. Bancroft also makes a fanciful allusion to a relationship between this alphabet and the characters in which the Book of Mormon was written, affecting ability to trace certain resemblances between some of the characters transcribed by the Prophet from the Book of Mormon plates to the Greek characters *pi, rho, tan, phi,* and *chi.* A font of type for the new alphabet was cast in St. Louis and some books, "The Deseret First and Second Reader" was published, and to a limited extent were introduced into some of the schools. In 1869 Orson Pratt published the Book of Mormon in the characters of the new alphabet, but with this the experiment closed.

During the exciting times in Utah from 1857 to 1865 the Church did not fail to carry on the several missions she had founded in various parts of the world. When Elders Orson Pratt and Ezra T. Benson, of the council of the Twelve, were called home from the Presidency of the European mission, in consequence of the Utah Expedition, and the seeming likelihood of a removal of the headquarters of the Church from Salt Lake valley, they were succeeded in that presidency by Elder Samuel W. Richards, president, and Elders Asa Calkin and George G. Snyder as his counselors. The presidency of Elder Richards, however, only continued about four months; when, according to the understanding previously had with the authorities at Salt Lake City, he returned to Utah.[6] He was succeeded in the European mission presidency by Asa Calkin, who chose for his counselors Elders James D. Ross and William Budge.[7] This presidency continued until April, 1860—a little more than two years, when a change was made in it by the arrival of N. V. Jones and Jacob Gates from Utah, these brethren becoming counselors to Presi-

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4¼. Bancroft's Hist. of Utah, pp. 712-14.
5. *Mill. Star,* Vol. XIX, pp. 697-699.
6. *Mill. Star,* Vol. XX, pp. 152-3.
7. *Ibid,* pp. 153 and 171.

dent Calkins shortly after their arrival in England;[8] and about a month later the two brethren, Jones and Gates, became the presidency of the mission. Elders Calkins, Ross and Budge having departed for Zion.[9]

The Scandinavian mission was presided over during this period—1857-1860—by Hector C. Haight and Carl Widerborg, in succession, the latter's Presidency covering two years of the time. He was a native of Denmark and a man both of education and ability. At a special council of the authorities of the European mission, he reported 1,038 baptisms in the Scandinavian mission, during the year 1858, divided as follows: Denmark, 619; Norway, Sweden, 235. The total membership of the Church in three countries at the time was 3,709.[10]

Jabez Woodard was President of the Swiss and Italian mission, afterwards known as the Swiss and German mission, since little could be done in Italy, and the work enlarged in Germany.

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8. *Mill. Star,* Vol. XXII, p. 218, and pp. 312-3.

9. Elder J. D. Ross left England for America on the 28th of March with a company of Saints, numbering 594 souls, of which he was the President. They sailed in the ship *Underwriter.* Elders Calkin and Budge left England a month and half later (Apl. 11th, 1860) with a company of 730 Saints, 312 being from Scandinavia and 85 from Switzerland, (*Mill. Star,* Vol. XXII, pp. 234 and 331).

PRESIDENTS OF THE EUROPEAN MISSIONS. The Presidents of the European mission from the first to the present time are as follows: Heber C. Kimball from 20th July, 1837 to 20th of April, 1838; Joseph Fielding *et al.*, 20th April, 1840, to 20th April, 1841; Parley P. Pratt, April, 1841—20th October, 1842; Thomas Ward, October, 1842—3rd October, 1846; Orson Hyde, October, 1846—January, 1847; Franklin D. Richards, [an interim] January, 1847—February, 1847; Orson Spencer, February, 1847—August, 1848; Orson Pratt, August, 1848—January, 1851; Franklin D. Richards, January, 1851—May, 1852; Samuel W. Richards, May, 1852—June, 1854; Franklin D. Richards, June, 1854—August, 1856; Orson Pratt, August, 1856—October, 1857; Samuel W. Richards, October, 1857—March, 1858; Asa Calkin, March, 1858—May, 1860; Nathaniel V. Jones *et al.*, May, 1860—August, 1860; Amassa M. Lyman *et al.*, August, 1860—January, 1861; Geo. Q. Cannon, January, 1861—September, 1864; Daniel H. Wells, September, 1864—August, 1865; Brigham Young, Jr., August, 1865—July, 1867; Franklin D. Richards, July, 1867—September, 1868; Albert Carrington, September, 1868—June, 1870; Horace S. Eldredge, June, 1870—June, 1871; Albert Carrington, June, 1871—October, 1873; Lester J. Herrick (*pro tem.*), October, 1873—March, 1874; Joseph F. Smith, March, 1874—September, 1875; Albert Carrington, September, 1875—June, 1877; Joseph F. Smith, June, 1877—July, 1878; Wm. Budge, July, 1878—November, 1880; Albert Carrington, November, 1880—November, 1882; John Henry Smith, November, 1882—January, 1885; Daniel H. Wells, January, 1885—February, 1887; Geo. Teasdale, February, 1887—October, 1890; Brigham Young, October, 1890—June, 1893; Alfred Solomon, *pro tem.;* Anthon H. Lund, June, 1893—July, 1896; Rulon S. Wells and Joseph W. McMurrin, July, 1896—December, 1898; Platte D. Lyman, November, 1898—May, 1901; Francis M. Lyman, June, 1901—February, 1904; Heber J. Grant, February, 1904—November, 1906; Chas. W. Penrose, November, 1906—June, 1910; Rudger Clawson, June, 1910—April, 1913; E. Taft Benson *pro tem.* April, 1913—Sept., 1913; Hyrum M. Smith, Sept., 1913—and now—1914—presiding.

10. *Mill. Star,* Vol. XXI, p. 71.

Elder Woodard at the above named council reported 550 members in this mission.[11]

Elder Mark Barnes at this time was president of the French mission, which it will be remembered included the Channel Islands as part of its territory. He had been preceded in the presidency of the mission by its founder, Elder John Taylor, of the council of the Twelve (1850-51), Elders Curtis E. Bolton, A. L. Lamoreaux, W. C. Dunbar, George D. Keaton. Elder Barnes had been president since the latter part of June, 1858.[12] He reported at the above named council of the authorities of the European mission, two conferences, the Channel Islands and the Paris conference, with a membership of 127.[13]

Such was the condition of the work in the European mission in the spring of 1860, when President Brigham Young appointed three of the Twelve Apostles, Elders Amasa M. Lyman, Charles C. Rich, and George Q. Cannon to be the presidency of the European mission. Elders Lyman and Rich departed at once for their field of labor, where they arrived on the 27th of July, 1860, accompanied by eleven other elders from Utah. A few days later three others arrived, and about twenty more were reported en route.[14] Elders Lyman and Rich immediately took the presidency of the mission. Geo. Q. Cannon who was called into the council of the Apostles and sustained at the April conference

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11. Presidents of the Swiss and German Mission: The Swiss and German mission, originally "known as the Swiss and Italian mission, was opened by Elder Lorenzo Snow and fellow-laborers, in 1850. After him the following Elders presided over the mission, the beginning of each term marking the end of the one preceding it: Thomas B. H. Stenhouse, from 1851; Daniel Tyler, from October 1, 1854; John L. Smith, January, 1856; Jabez Woodard, October, 1857; John L. Smith (second term), Jan. 24, 1861; Paul A. Schettler *pro tem.*, Jan., 1864; Wm. W. Riter, 1864; W. P. Nebeker, 1865; Joseph S. Horne, May, 1867; Karl G. Maeser, June, 1868; Edward Schoenfeld, July, 1870; John Huber, June, 1872; John W. Stucki, June, 1874; Joseph S. Horne (second term), June, 1876; Henry Flamm, Oct., 1877; Serge F. Ballif, May, 1870; John Alder, May, 1881; Peter F. Goss, April 4, 1882; John Q. Cannon, Aug. 21, 1883; Fred W. Schoenfeld, May 16, 1884; John U. Stucki (second term), May 19, 1888; Theodore Brandley, Sept. 1, 1890; John Jacob Scharer, Sept. 15, 1891; J. H. Stoker, Feb. 7, 1894; and Geo. C. Naegle, April 28, 1894. (Church Chronology, Jensen, pp. 213-4.) Since that time the Presidents have been: Peter Loutensock, Jan. 1, 1897; Henry E. Bowman, Jan. 1, 1898; Lewis S. Cardon, Jan. 1, 1900; David L. McDonald; Levi E. Young, June, 1902; Hugh Canon, May 22, 1904; Serge F. Ballif, March 9, 1905; Thomas E. McKay, March, 1909; Hyrum Valentine, March, 1912.

12. See *Mill. Star,* Vol. XX, p. 701.

13. *Mill. Star,* Vol. XXI, p. 81.

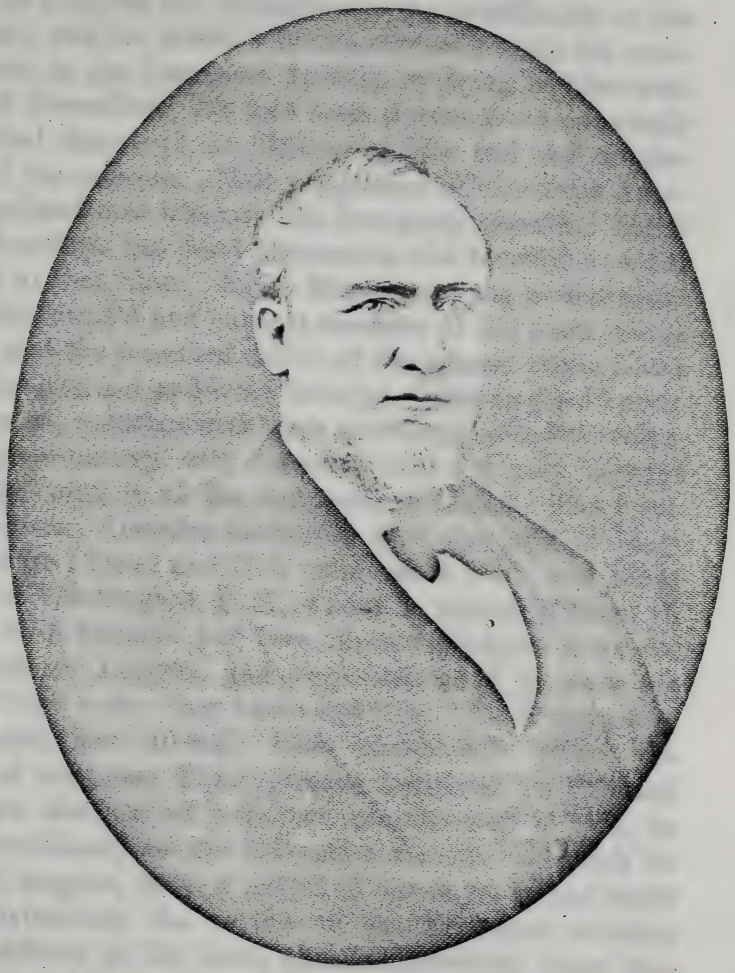
14. *Ibid,* Vol. XXII, pp. 506, 524.

GEORGE Q. CANNON

Mormon missionary to the Hawiian Islands, and translator of the Book of Mormon into that language. Also President of the European mission 1862-1864; General Superintendent of the Sunday School work of the Church from 1867 to the time of his death, in 1901; Utah's Delegate to Congress from 1872 to 1882; and a councilor in the First Presidency of the Church from 1880 to 1901

"He would have been a man of mark in any community. Had he remained in his native England, he would probably have been heard of in Parliament, and it is within the bounds of conservative calculation to imagine such a one the peer of Gladstone, Disraeli and other premiers of the realm. * * * No man in Utah, after the passing of President Brigham Young, wielded with all classes so great an influence as President George Q. Cannon, and his influence was felt up to the very close of his life." O. F. WHITNEY

(History of Utah, Vol. IV—Biographies—p. 663)



Geo. Q. Cannon

of 1860,[15] was at the time "in the states," superintending the emigration affairs of the Church. He was called to return to Utah, where he received his ordination to the apostleship on the 26th of August, and six weeks later he started to join his associate presidents in the European mission, arriving in Liverpool on the 21st of December. He had been chosen more especially to take editorial charge of the *Millennial Star* and the emigration affairs of the mission. This presidency of the three Apostles at once infused new life into the European mission. Elder Lyman was doubtless the most persuasive and forceful speaker in the Church at that time: Elder Rich one of the wisest counselors and most faithful and earnest teachers of the plain truths of the gospel, and the practical duties of the saints; while Elder Cannon was the clearest and most forceful writer in the Church. All three Apostles, together with their associates in the ministry, worked with great energy, with the result that a mighty impetus was given to the work in all the European missions. The Presidency of the three Apostles continued until the 14th of May, 1862, when Elders Lyman and Rich returned to Utah, and Elder Cannon went to Washington, D. C., where he joined William H. Hooper, who, with himself, had been elected senators from the provisional state of Deseret, and were instructed to work for statehood for Utah under that name and title. Their failure to secure statehood has already been chronicled. After the adjournment of congress Elder Cannon returned to England where, after an absence of only two months and a half, he resumed the presidency of the European mission, in which he continued until August, 1864, a period of three years and eight months. Unfortunately the results in the European mission under the presidency of the three apostles, covering about two years, supplemented by the individual presidency of Elder Cannon for nearly two years more, have not been tabulated, but some idea may be had of the impetus given to the work and the fruitfulness of the ministry during that time when it is recorded that at a general council of the European mission held at Birmingham, in the beginning of 1864, it was reported that the increase of membership by baptism in Scandinavia the previous

15. Hist. of Brigham Young, *Ms.* Entry, 7th Apl., 1860, p. 87.

year was 1,587 souls;[16] and in Great Britain for the same time was 2,231 souls; which with 157 baptisms in other parts of the mission brought up the total to 3,957 souls for 1863. During the same year about 3,690 souls had emigrated to America, and chiefly to the gathering place of the Saints in the valleys of Utah.[17]

Shortly after the departure of Elder Geo. Q. Cannon to join his fellow apostles in the Presidency of the European mission, President Brigham Young, in a special meeting of the Bishops of Salt Lake City, very sharply condemned the practice that had sprung up in the European mission—more especially in Great Britain—of some of the missionaries from Utah soliciting money from the Church members for their personal use, until it amounted in some instances to preying upon the people, many of whom could ill afford from their pittance to spare the gratuities insisted upon. In order to sweep away every excuse for such a course President Young informed the Bishops that he would inaugurate a new system of procedure, which he explained in these words:

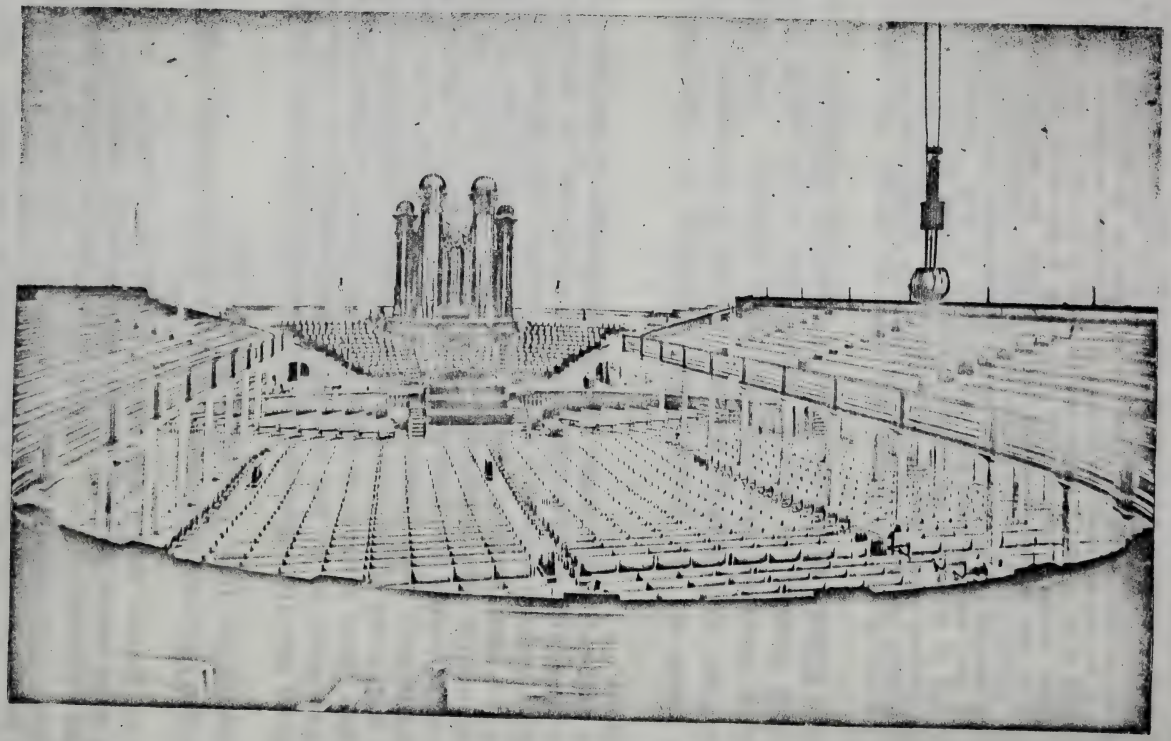
"I intend hereafter that this people (i. e. in Utah—in the

16. PRESIDENTS OF THE SCANDINAVIAN MISSION: The report was made by Jesse N. Smith, cousin of the Prophet Joseph Smith, who had been in charge of the Scandinavian mission since May, 1862. The Presidents of this important mission of the Church from the first, who founded the mission, up to 1912, the term of one President ending where the other began, is as follows: The mission was founded in 1850 by Apostle Erastus Snow, who was its first president. He was succeeded by John D. Forsgren, March 4, 1852; Willard Snow, Dec. 20, 1852; John Van Cott, Aug., 1853; Hector C. Haight, Jan. 1, 1856; Carl Widerborg, Feb. 1, 1858; John Van Cott (second term), Jan. 1, 1860; Jesse N. Smith, May, 1862; Samuel L. Sprague *pro tem.*, April 13, 1864; Carl Widerborg (second term), Aug. 1, 1864; Jesse N. Smith (second term), Sept., 1868; William W. Cluff, July 15, 1870; Canute Peterson, June 23, 1871; Christen G. Larsen, June 27, 1873; Nils C. Flygare, June 25, 1875; Ola N. Liljenquist, June 22, 1876; August W. Carlson *pro tem.*, Nov., 1877; Nils C. Flygare (second term), Jan., 1878; Niels Wilhelmsen, Aug. 30, 1879; Andrew Jenson *pro tem.*, Aug. 1, 1881; Christian D. Fjeldsted, Sept. 3, 1881; Anthon H. Lund, April 4, 1884; Nils C. Flygare (third term), Oct. 19, 1885; Christian D. Fjeldsted (second term), October, 1888; Edward H. Anderson, September 29, 1890; Joseph Christiansen, September, 1892; Carl A. Carlquist, May, 1893; Peter Sundwall, April, 1894; Christian N. Lund, June 11, 1896; and George Christensen, May 19, 1898. So far Jensen's Church Chronology, p. 221. Since then the Presidents have been: Andreas Peterson; Anthon L. Skanchy; Christian D. Fjeldstead, (third term) Dec. 6, 1904; Jens M. Christenson, July 1, 1905; Soren Rasmussen, Nov. 11, 1907; Andrew Jensen, Feb. 15, 1909; Martin Christofferson, May 15, 1912.

17. See *Mill. Star*, editorial synopsis of the said Council, Vol. XXVI, pp. 88-91. The full minutes of this important council will be found at length in *Mill. Star*, Vol. XXVI, pp. 81 to 215.

INTERIOR OF MORMON TABERNACLE,
SALT LAKE CITY

Showing the Great Organ in the west end of the building.
Seating capacity is 8,000



Interior of Mormon Tabernacle

ENGRAVED BY [illegible]

organized stakes of Zion) shall find means to send the Elders to their fields of labor, and if necessary to bring them back again. Our Elders have had to beg so much of the people, that they have bound the Saints with chains of oppression. *This must be stopped.* The Saints in Zion must take this burthen off from the poor abroad. . . . This subject has pained me for years, but I have never had the power until now to handle it. I now have the power, and I will use it, thank the Lord."[18]

At the Tabernacle Bowery meeting on the Sunday following, *viz,* September 16th, President Young said:

"From this time forward he wanted the Latter-day Saints in this Territory to fit out our own missionaries, to clothe them and give them money to take them to their destined fields of labor, and in all cases where it is necessary to sustain their families while they were absent. He did not want any more Elders to go on missions and come back merchants, nor to spend their time scheming and contriving how they could make the most out of the poor Saints; but in future he wanted and intended that they should pursue a different course, and instead of the Elders spending all the tithing collected abroad, he would have it kept subject to his order for the gathering of the poor from all nations."[19]

The years of the presidencies following the departure of Elders Pratt and Benson, mark a period of depression in the European missions, especially in Great Britain. With Elders Pratt and Benson, or shortly afterwards, went nearly all the American Elders, in consequence of the Utah difficulties; many

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18. History of Brigham Young, *Ms.*, 1860, pp. 297-303. The synopsis of President Young's remarks at the Bishops' meeting is brought over from Wilford Woodruff's Journal, under date of Sept. 16th, 1860. Woodruff remarks, parenthetically, that in delivering the address President Young in some parts of it *"walked the floor and his voice was like the voice of God."* Woodruff himself spoke at the meeting and in the course of his remarks said: "I feel to thank God that we are blessed with a leader who has independence of mind sufficient to do the will of God, let him reprove or rebuke whom he may. He asks no odds of any kingdom, nation, people, person or thing who stands in the way of doing his duty. It is a blessing to us to have a leader who has eyes to see for us when we are in danger, and if we had not some one to warn us and reprove us when we do wrong, we would not be safe. President Young is sustained by the power of God, and when he calls upon us to do anything, we ought to do it, and if we withhold, we do so to our hurt. (Woodruff's Journal for 16th Sept., 1860.) Woodruff gives an account of a previous meeting—Sept. 9th—held to consider the same subject, in which President Young even more sharply reproved the Elders—sparing none—who had been guilty of this practice. (See Woodruff's Journal of this date.)

19. *Deseret News* of Sept. 19th, 1860, minutes of the Bowery meeting.

of the native Elders and the prominent members of the Church of earlier days had moved to Zion in the large emigrations from England in 1856, and with them had gone many brethren of literary ability; no elders had come from Zion to take their places, until the arrival of Elder N. V. Jones and Jacob Gates; emigration to America, to Zion, ever a source of interest and activity—had been suspended; and a book and *Millennial Star* indebtness had accrued amounting in round numbers to 6,855 English pounds, or $34,425,[20] nearly half of which amount was paid off in about nine months of the Calkin Presidency; "And at the same time," said the *Star* Editorial in reviewing the subject, there has been a more liberal and honest tithing paid into this office than at any previous time, as well as a cheerful and prompt response made to every other call for the benefit of the work[21]

The British mission was fortunate in this period in having such able native elders as Willitain Budge, J. D. Ross, and Charles W. Penrose, all of whom were able expounders of the faith and did much in a period of depression to maintain interest in the work of the Lord in that land.

During the Presidency of the three apostles, including the individual presidency of Elder Cannon, about thirteen thousand Latter-day Saints shipped from Liverpool to Salt Lake Valley, and about the same number united with the Church by baptism in the European missions.[22]

It was during this period that Charles Dickens so vividly described the Mormon emigration in his "Uncommercial Traveler," and declared of a company of emigrating saints from London, numbering eight hundred, that they, in their degree,—were "the pick and flour of England." "A very fine set of people. . . . Indeed," said Dickens, "I think it would be difficult to find eight hundred people together anywhere else, and find so much beauty and so much strength and capacity for work."[23]

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20. *Mill. Star,* Vol. XX, p. 63.
21. *Mill. Star,* Vol. XX, p. 777.
22. Jensen's L. D. S. Biographical Encyclopedia—1901—Art. Cannon, Vol. I, p. 48.
23. Dicken's Uncommercial Traveler (appearing first in "All the Year Round," London, 1863), Chapter ———. Dickens also gives a pen picture—though not naming *him*—of Elder Geo. Q. Cannon that is worth perpetuating. It will be found in connection with other excerpts from Dickens' paper in Note 1, end of Chapter.

Among the Elders who were sent to the European mission from Utah in 1859-60 was Louis A. Bertrand, a native of France. He was assigned to Paris where he labored for some time as a traveling elder, but finally succeeded Elder Mark Barnes as president of the French mission. In that capacity he addressed a communication to Napoleon III., Emperor of the French, bearing date of 14th of March, 1861, asking for the privilege of preaching in France, and for a personal interview. "I had the honor last year," he said in his letter to the Emperor, "to apply to two of your state ministers to ask them the privilege of preaching the gospel in France, both made a negative answer. This day I take the respectful liberty of applying directly to your Majesty to supplicate you to grant me a particular interview."

Elder Bertrand represented that he had spent four years in Salt Lake City, and he would be happy to answer any inquiries the Emperor might make on the subject of Mormonism.[24] The communication reached the hands of his Majesty through M. Moquard, his private secretary. Bertrand also indirectly learned the fate of his letter through the same gentleman. The interview was not granted, the letter was read by the Emperor, who laughed at it, and tore it to pieces."[25]

The prefect of police in 1864 finally prohibited Elder Bertrand or other Mormon missionaries from preaching in France, or attending meetings,[26] with the result that France as an organized mission was closed for many years, though the gospel was preached occasionally in parts of that country by Elders from adjacent missions; and in 1912 the French mission was again organized under the direction of Elder Rudger Clawson, President of the European mission. Indeed it was not again opened until the year 1913 when Elders ———

24. The communication in full will be found in *Mill. Star*, Vol. XXIII, pp. 220-21. It is also found with its date in Hist. of Brigham Young, *Ms.*, 1861, pp. 153-58.

25. See letter of Bertrand to Geo. A. Smith, copied into Hist. Brigham Young, *Ms.*, entry for March 6th, 1860, pp. 52-3. It is copied into the above History for 1860, though the letter itself bears date of 6th March, 1865. The action of Louis Napoleon was quite to be expected, and yet this proud and scornful Emperor of the French had both a prophetical and historical connection with the thing he so despised—Mormonism—whether he would or no; an account of which is given in note 2, end of this chapter.

26. See Geo. A. Smith's Answer to Questions—1869—p. 32. Elder Bertrand published "Memories d'un Mormon," which appeared first in "*La Revue Contem-*

The work in the South African mission was also continued through this period. Though for some time it was conducted by native Elders.[27] In December, 1861, Elder William Fotheringham and other Elders from Utah arrived at Cape Town, and took charge of the mission. For about two years and a half they continued their labors, but the field was a difficult one and but little progress could be made. In April, 1864, Elders Fotheringham and Nixion left Africa, the first on the 5th, with a company of nine members on the ship *Echo;* and the two others on the 10th with a company of eighteen members on the ship *Susan Pardew,* both vessels going direct to New York. The work in South Africa was left under the Presidency of Miner G. Atwood, from Utah, who continued in the mission about one year, after the departure of his associates, when on the 12th of April, 1865, he left Port Elizabeth with a company of forty-seven members of the Church in the brig *Mexicano,* for New York,[28] and the work in Africa was left for a number of years to the few remaining resident members of the Church. A successful mission now, (1914) and for some years past has been maintained in that land.

During this period *viz,* in 1861, the Holland or Netherlands

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poraine, afterwards in booklet form, an edition of 2,200. (Bertrand translated, when on a previous mission in France, Parley P. Pratt's *"Voice of Warning,"* of which an edition of 1,000 was printed). About this time, Feb., 1861—*Les Debats* published a lengthy review of M. Jules Remy's two volumes "A Journey to Great Salt Lake," with *"A Sketch of the History, Religion and Customs of the Mormons,"* Paris, 1861, which review was looked upon as favorable to the cause by Bertrand. See *Mill. Star,* Vol. XXIII, p. 140. Elder Bertrand also translated an article on "Celestial Marriage" by Orson Pratt; "the Doctrine and Covenants," and eight pamphlets by Orson Pratt, none of these, however, were published. See Bertrand's communication to Geo. A. Smith, Hist. of Brigham Young, *Ms.,* 1860, pp. 52-3. Geo. Q. Cannon, President of the European mission, spoke in high praise of the labors of Elder Bertrand. He left Utah on his mission in 1859, and in the latter part of that year arrived in France, where he labored until the summer of 1864. "His field," said President Cannon, "has been a very hard one, and his sanguine perseverance and patient endurance in it have frequently called forth our admiration and sympathy." *Mill. Star,* Vol. XXVI, p. 460.

27. At a conference held at Port Elizabeth on July 11th, 1858, there were present 19 elders, 5 priests, 5 teachers, 2 deacons, and 212 members (*Mill. Star,* Vol. XX, p. 619).

28. Atwood continued with this company until they reached Salt Lake City. At Wyoming, Nebraska, he was placed in charge of a company of about four hundred souls and forty-five wagons, which he conducted to Utah. West of Fort Laramie the company was attacked by Indians, and an attempt made to drive off the stock. Seven of the brethren were wounded and a Mrs. Grundtvig was carried away by the savages. (See Atwood's dispatch to *Deseret News,* of Sept. 27th, 1865.)

mission was founded by Elder Paul A. Schettler who labored in that land most faithfully and became the first president of the mission (1861-1864), which has remained a fruitful field until the present (1914).[29]

The mission in Australia, New Zeland and Tasmania, was also perpetuated through these troubled years of 1857-1865, and since then, and now are fruitful missions.[30]

The Society Islands mission, which includes the Society, Tuamotu and the Austral Islands, and is the oldest of the New Dispensation missions in Polynesia, having been opened in 1844, was maintained by native Elders and Saints during the period

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29. THE HOLLAND MISSION: Following is the succession of Presidents in the Holland mission, the term of one president ending when that of his successor begins: "This mission was founded in 1861, and Elder Paul A. Schettler was the first president. He was succeeded by Joseph M. Weiler, in 1864; Francis A. Brown, May 4, 1867; Marcus Holling, October, 1867; Jan F. Krumperman *pro tem.*, in 1871; Sybren Van Dyk, Dec. 16, 1871; local Elders *pro tem.*, 1874; Dirk Bockholt, Oct. 8, 1874; Peter J. Lammers, Oct. 9, 1875; Jan Hansink *pro tem.*, June 23rd, 1877; Bernhard H. Schettler, Sept. 20, 1877; Peters, a local Elder, *pro tem.*, June, 1878; Sybren Van Dyk (second term), May 19, 1880; Zwier Willem Koldewyn *pro tem.*, June 17, 1882; Peter J. Lammers (second term), Nov 7, 1882; Zwier W. Koldewyn, *pro tem.*; Dec., 1884; John W. F. Volker, Nov. 11, 1885; Francis A. Brown (second term), March, 1889; Timothy Metz, Jan. 3, 1891; Alfred L. Farrell, 1892; Edwin Bennion, May, 1893; Asa W. Judd, March, 1895; Geo. S. Spencer, March 20, 1896; and Fred Pieper, Dec. 1, 1896. (Jensen's Chronology, p. 216). Since then the Presidents have been: Alfred L. Farrell, Sept., 1898; Sylvester Q. Cannon, Aug. 28, 1900; Willard T. Cannon, Sept. 21, 1902; Jacob H. Frazer, April 15, 1905; Alexander Nibley; Sylvester Q. Cannon, May 19, 1907; James H. Walker (*pro tem.*), June 10, 1909; Brigham G. Thatcher, Sept. 17, 1909; Roscoe W. Eardley, Nov. 6, 1911; Thomas C. Hair (*pro tem.*), July 26, 1913. LeGrand Richards, Nov., 1914, presiding.

30. AUSTRALIAN, NEW ZEALAND AND TASMANIA MISSIONS: The above mission, which also includes some smaller islands, was opened in 1851 by John Murdock, who was the first President. He was succeeded in the presidency by the following Elders: Charles W. Wandell, June 2, 1852; Augustus Farnham, April, 1853; Absalom P. Dowdle, May, 1856; Andrew J. Stewart, June 7, 1857; Thomas Ford, May 30, 1858; Wm Broadbent, 1863; Robert Beauchamp, 1867; Wm. Geddes, 1874; Job Welling, October, 1875; Isaac Groo, July 29, 1876; Fred J. May and Thos. A. Shreeve, August, 1878; Elijah F. Pearce, Dec. 25, 1878; George Batt, 1880; Wm. M. Bromley, Jan. 20, 1881; Wm. T. Stewart, July 17, 1883; Wm. Paxman, May 25, 1886; Angus F. Wright, Aug. 12, 1889; John S. Bingham, Oct. 6, 1890; Wm. T. Stewart (second term), Sept. 13, 1891; and William Gardner, Dec. 30, 1893. (Jensen's Chronology, p. 212). In October, 1897, New Zealand was separated from Australia and Tasmania and became a separate mission. Since then the Presidents of the Australian mission have been Elders Andrew Smith, Jr., Jan. 1, 1898; Frederick E. Barker, May 23, 1898; Geo. H. Islaub, Feb. 14, 1900; John B. Matthias (*pro tem.*), June 6, 1900; Andrew Fjeld; James Duckworth; Wm. Armstrong; C. Alvin Orme, Dec. 6, 1908; Charles H. Hyde, Aug. 28, 1911; Wm. W. Taylor, Nov. 13, 1913. The Presidents of the New Zealand mission since its separation from the Australian mission, 1897, have been Ezra F. Richards, Jan., 1897; John Ephraim Magleby; Charles B. Bartlett; Louis G. Hoagland, Aug. 4, 1905; Rufus K. Hardy, May 14, 1907; George Bombs, May 12, 1909; Orson D. Romney, May 9, 1911; Wm. Gardner, 1914.

here being considered, the Utah Elders having been banished from the Islands in 1852, by the French government. They did not return until 1892, so that for forty years, memory of and love of the work of the New Dispensation was fostered by the natives of those Islands.[31]

The Hawaiian Mission continued through the period under consideration although for several years maintained and conducted by the native officers and members. Indeed from the time it was founded (in 1850) until the present (1914),[32] it has been a very prosperous mission, though it has passed through periods of depression and of peril, the most serious of all being one that occurred in the year 1861-1864, and this through the pride and folly of Walter M. Gibson, usually referred to in our annals as "Captain Gibson."

This man arrived in Utah in the fall of 1859, accompanied by his daughter, two sons and several other persons who had joined his party *enroute* from the east. Some time after his arrival he had a number of interviews with President Young, in which he represented that the purpose of his visit to Utah was to induce the "Mormons" to move to New Guinea—also called Papua—in the East Indies. He claimed a disinterested interest in the natives of New Guinea as he believed them to be descendants of

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31. THE SOCIETY ISLAND MISSION: "This mission, which includes the Society, the Tuamotu and the Austral Islands, and is the oldest Latter-day Saint mission in Polynesia, was opened in 1844. Noah Rogers was the first president. He was succeeded by Addison Pratt in July, 1845, and he in turn by Benjamin F. Grouard, in March, 1847. Addison Pratt, on his return from America, in 1850, presided a second time. After the banishment of the American Elders by the French, in 1852, native Elders kept up more or less missionary work for forty years. The mission was reopened by two Elders from Zion (Joseph W. Damron and Wm. A. Seegmiller), in January, 1892, and Joseph W. Damron, presided. He was succeeded by James L. Brown, in June, 1892, who was succeeded by Elder Damron in July, 1893; Frank Cutler succeeded Elder Damron as president, May 11, 1895." (Jensen's Chronology, p. 213.)

32. THE HAWAIIAN MISSION: This interesting mission was founded in December, 1850, and its first president was Hiram Clark, who was succeeded by the following Elders: Philip B. Lewis, Aug. 9, 1851; Silas Smith, July, 1855; Henry W. Bigler, *pro tem.*, 1851; native Elders, 1858; Walter M. Gibson (without proper appointment), 1861; Ezra T. Benson and Lorenzo Snow (in temporary charge for reorganization purposes), April, 1864; Joseph F. Smith, April, 1864; Alma L. Smith, Oct., 1864; Geo. Nebeker, July, 1865; Fred A. H. F. Mitchell, 1873; Alma L. Smith (second term), Feb. 2, 1875; Ward E. Pack, June 20, 1876; Simpson M. Molen, March 20, 1878; Harvey H. Cluff, July 8, 1879; Edward Partridge, July 31, 1882; Enoch Farr, March 14, 1885; Wm. King, May 11, 1887; Ward E. Pack (second term), May 9, 1890; and Mathew Noall, Jan. 5, 1892. (Jensen's Chronology, p. 210.) Elder Noall presided until 1895, when he was succeeded by Samuel E. Woolley who continues the president until now—1914.

the house of Israel, and that the settlement of the Latter-day Saints among them would result in their good. President Young advised Mr. Gibson to investigate the Latter-day Work, the restored Gospel of Jesus Christ, and if he became satisfied of its truth, the President would have him ordained an Elder and send him and a few other Elders to the natives of New Guinea, "and he could do them more good that way than in any other."[33] It did not take the prepossessing stranger long to make up his mind respecting the truth of the new dispensation, for in mid January following—1860—he was baptized by Heber C. Kimball and confirmed the same day by President Young at the latter's office. During the summer of 1860 "Captain" Gibson went to the eastern states to attend to some necessary business, where also he preached his new faith and claimed to have "baptized some noted men," interviewed in their own language the Japanese embassy, and was invited by them to visit Japan.[34]

In November of the same year he started for Japan on a mission, although his labors were not restricted to that land. "President Young blessed him," this in a public meeting at the Tabernacle, "and said he would go with a commission to all nations upon the earth, and he should go with his good will and blessing."[35]

Arriving in the Hawaiian Islands at a time when other Utah Elders were absent, he had a free hand in the unscrupulous impositions he practiced on the confiding natives. The laws at the time prohibiting the emigration of the natives from the Islands, a gathering place for those who accepted the gospel was established on the Island of Lanai where a native brother of the name of Haalelea owned a considerable tract of land. The Church also had purchased a tract of six thousand acres in the district of Palawai, for the use of the native Church members.[36] Using his letters of commendation from the Presidency of the Church, usually given to Church missionaries, Gibson assumed the presidency of the Hawaiian mission and resolved to purchase all the government land on the Islands of Lanai. Not having means

33. Hist. of Brigham Young, *Ms.*, Entry for Oct. 29th, 1859, p. 722.
34. Hist. of Brigham Young, *Ms.*, entry for 4th Nov., 1860, p. 364; also p. 392.
35. Hist. of Brigham Young, *Ms.*, entry for 18th Nov., 1860, p. 393.
36. Benson's Letter to Cannon, *Mill. Star*, Vol. XXVI, p. 459.

for this purpose, and dispairing of obtaining it by free will offering, he proceeded to organize a "church," without regard to union with the Church whose presidency and headquarters were in Utah, though following its general lines of organization. He brought into existence a quorum of "twelve apostles," "high priests," "seventies," and "bishops." These offices he sold to the natives, charging according to the supposed grade of the office; "and even women received from his hands the honor of priestesses." He sent missionaries to other islands and gathered more natives to Lanai, where he exercised an absolute dominion over them, resulting in his own aggrandizement and enrichment, and in corresponding injustice and impoverishment of the natives. He required that the native Saints turn over all their substance, including horses, sheep, goats, poultry, houses, and lands to the "church," which in this case was "Captain" Walter M. Gibson; and in addition they gave their time to the cultivation of the soil, "*receiving their food once a day from the hands of the head bishop,* under the immediate direction of 'Captain' Gibson, one meal a day being all that was given them when food was scarce."[37]

In the latter part of December, 1863, some of the native brethren from Lanai, wrote letters to the Church authorities at Salt Lake City detailing Gibson's proceedings and inquiring if what he was doing was right. In March, 1864, an apostolic delegation, consisting of Ezra T. Benson and Lorenzo Snow, of the Council of the Twelve, accompanied by Elders Joseph F. Smith, William W. Cluff, and A. L. Smith; the last three named having previously served as missionaries on the Islands. On their arrival at Lanai Gibson seemed more surprised than pleased with the coming of the delegation from Salt Lake City; and though they labored hard to convert him from his errors, he refused correc-

37. Letter of Ezra T. Benson to Geo. Q. Cannon, date of April 12, 1864, *Mill. Star,* Vol. XXVI, pp. 458, 459. In the Honolulu *Polynesian,* in 1862, was published a very flattering account—doubtless inspired by the "Captain" himself—of Gibson's achievements in community improvement industrially, morally and in sanitary conditions, representing a complete and wonderful metamorphosis since Gibson had taken the Island in hand. In the narrative is an account of how, finding no suitable draft animals at the Lanai settlement, a few furrows were opened by hand, which furrows, however, from the narrative, seem to have been sufficient in number to produce 3,000 bushels of corn for sale. The article referred to was reproduced in the Sacramento *Union,* and was finally copied into the *Deseret News* of Dec. 10th, 1862.

tion, and for that reason and for the protection of the native Saints, he was excommunicated from the church at Lahaina, Island of Maui, on the 8th of April, 1864. Upon the return of the two Apostles to Utah, Elder Joseph F. Smith was placed in charge of the mission as its president.[38½]

When Elder Benson and Snow reported their action respecting Gibson to President Young, which they did in a public meeting in the Old Tabernacle, at Salt Lake City, on the 29th of May, 1864, the President himself moved the ratification of their action by the congregation which was done by unanimous vote.[38]

38½. Elder Joseph F. Smith had rendered great service in settling the affairs of this mission. In his former mission to the islands (1854-1858) he had acquired a perfect knowledge of the language and spoke it with the fluency of a native. Being a man of unusual determination and strong against injustice he confronted Capt. Gibson with great power, and exposed to the natives his fraudulent and unwarranted course. He also acted as interpreter for the Apostles, and thus rendered more effective their labors in correcting Gibson's irregularities and their ministry among the natives.

An incident usually mentioned in connection with this apostolic mission to Hawaii was the drowning of Elder Lorenzo Snow in Lahaina Harbor, and his restoration to life by the ministration of the brethren. The accident occurred by the capsizing of a boat when trying to land while a heavy surf was running in the harbor. The Captain of the vessel, Elders Benson, Snow, Cluff and A. L. Smith were all in the boat when it capsized. Elder Jos. F. Smith had refused to accompany the other brethren in the effort to land, being convinced that it was a most dangerous undertaking. Natives from the shore, who witnessed the disaster, rescued the unfortunate men, but it was 20 minutes before Lorenzo Snow gave any signs of life after being taken from the water. (See Benson's letter to Cannon, *Mill. Star*, Vol. 26, pp. 458-9).

38. President Young explained in taking this action that "the charge against Walter M. Gibson was not for owning property, or for claiming it, for no one cared how much he had, if he only did good with it; but the charge was his persistent refusal to be dictated by the priesthood, and on the motion of the President, the action of Elders Benson and Snow in cutting Gibson off from the Church was sustained by the whole congregation." (*Deseret News* of June 1st, 1864.) Gibson was a typical "soldier of fortune." He was "born of English parents in an American vessel near the coast of England, 16th of Jan., 1822" (Woodruff's Journal Entry for Jan. 15th, 1860). In early manhood he became acquainted with the Orient as represented in the text above, although many representations of his exploits are to be taken with some reservation. He is described as being prepossessing in appearance, polite and affable in deportment, and interesting in conversation. After his excommunication from the church he was elected to the Hawaiian legislature from the district of Lanai, and while at the capital so ingratiated himself into the good will of King Kalakau that he was made Premier of the Kingdom and minister of finance. He possessed great influence over the king. Indeed it is supposed that it was his efforts to enlarge the prerogatives and powers of the King, that led to the evasions of constitutional limitations, and attempts to overthrow constitutional government, to be accompanied by a return to heathenism, that led to the revolution of 1887, resulting in restricting the king's prerogatives and driving Gibson from the Islands into exile. He was at first charged with defrauding the government in his office of minister of finance, but of this he was acquitted. It was believed, however, that he had incited the natives to revolt against the whites in favor of the king, and such was the state of popular sentiment on this point that the Premier was glad to make his escape by flight. He arrived an exile in San Francisco on the 6th of August, 1887, broken in health;

A few months after these stirring events in connection with the disposal of Gibson, Elder Francis A. Hammon, one of the early missionaries to the island, and now acting as agent for the Church, purchased the Laie plantation, about thirty-two miles from Honolulu, the capital of the Islands. The tract of land purchased consisted of six thousand five hundred acres; and was bought of T. Dougherty. Ever since the purchase of the Laie plantation it has been the headquarters of the mission, and the home of many of the Hawaiian Latter-day Saints.

From 1855 to 1860 a mission was maintained in the Indian Territory among the Cherokee, Creek, and Choctaw, Indians. At the April conference in Salt Lake City, 1855, six elders viz, Henry W. Miller, Robert C. Petty, Washington N. Cook, William Richey and John A. Richards, were called to this mission; and in the early part of the summer arrived upon the scene of their labors along the borders of the Indian Territory, adjoining Arkansas. Two of the number were sent among the Delawares, but meeting with no success they rejoined the rest of their party in the Cherokee Nation, at Spavinaw, a settlement on a small stream of the same name. Here they met a small company of brethren from Texas who had been associated with Lyman Wight and his operations in that state,[38] but becoming dissatisfied with him had started to go to the headquarters of the Church in Utah. *Enroute* they had come in contact with some of the following of James J. Strang[39] who had succeeded in persuading them that all was not right with the Church in Utah; and therefore they had halted at Spavinaw where they were found by the missionaries from Utah as aforesaid. Elder Miller in charge of the Indian Territory mission soon persuaded the brethren from Texas of the regularity of Brigham Young's leadership of the Church, and the brethren to the number of forty or fifty continued their journey westward to Utah in 1856. In 1858 the re-

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and a few months later, viz., Jan. 21st, 1888, died of consumption. See Editorial comment on Gibson's career *Deseret News* (Weekly) of Feb. 1st, 1888. Also article in *Deseret News* of June 1st, 1864, caustic in its tone. For his career among the Hawaiian branches of the Church, see Benson's Letter to George Q. Cannon, *Mill. Star,* Vol. XXVI, 458-60. Also letter of Joseph F. Smith, same volume, pp. 542-3.

38. See Chapter LVI, this History, Note 3.

39. *Id., note* 1.

maining few of Lyman Wights followers came from Texas to the same place, Spavianaw; and with them came also "Colonel" Wight's first wife, who had recently received a letter from Sidney Rigdon, bitterly denouncing the leading authorities of the Church in Utah. With this second group from Lyman Wights Texas following the elders from Utah, though they labored with them diligently, were not so successful as with the first.

The Utah brethren labored among the Cherokee Indians with some prospect of success at first. Mormonism being a "new thing" the people came in great numbers, many believed, and a few were baptized. So promising was the work that Elder Miller applied to the large branch of the Church at St. Louis to send Elders from there to assist in the work; and in response to the call Elders James Case, William Bricker, George Higginson, Wm. O. Tavell and Henry Eyring were called to the Indian Territory mission. After the arrival of these brethren (except Tavell who forsook the mission enroute to his field of labor), the brethren were divided into pairs and took up a labor among the Cherokee, the Creek, and the Choctaw Indians. The brethren labored diligently, but sickness among them, the indifference of the natives, the unsettled status of the white population, combined to make their labors unfruitful. Elder Miller being released to return home in the fall of 1856, Washington N. Cook succeeded him in the presidency of the mission. Brother R. C. Petty's health had failed him in this fever and ague country, and he died February 1st, 1856. Elder Cook, after presiding in the mission about two years, "in which time," says the chronicle here followed, "he won the love and respect of Saint and sinner," he died of quick consumption on the 4th of September, 1858.

Elder Henry Eying succeeded him in the presidency of the mission, in which position he continued for about a year and a half, when the mission closed by reason of the brethren—excepting Elder Richards, who remained in the Indian Territory on his own account—returning home in the latter part of May, 1860.

The labors of these brethren of the Indian Territory mission resulted in a number of Lyman Wights following being guided to the Church in Utah, and put an end to their wandering. Four

branches of the Church were organized by them: one in the Creek nation, known as the Princes' Branch; two in the Cherokee nation, one known as Prior's Creek Branch; the other, organized by Henry Eyring, known as the Lehi Branch, a Book of Mormon name; another in the Creek Nation, also organized by Elder Eyring, and known as the Nephi Branch, another Book of Mormon name.

A number of the white population of these branches emigrated to Utah from time to time breaking up some of the branches, and the time finally came when seemingly all the good that could be done for the present had been done among the natives, and the Elders, as already stated, returned home. "In taking a retrospective view [of this mission] for five years," says Elder Henry Eyring, the Mission's Historian, "it is quite evident that the result of those toils, privations and hardships, and the sickness of all and the death of two Elders connected with it, is but very small, *apparently*. But it is to be hoped that in after years, spontaneous fruits may spring up from the exertions of the servants of God among the seed of Jacob."[40]

Another missionary movement of some importance during this period was the sending of Orson Pratt and Erastus Snow of the council of the apostles to the Eastern States, to labor among the eastern branches of the Church which for several years had been practically left to themselves. They left Utah in the latter part of September, 1860.[41] Arriving in the east they began a very active campaign and many of those who previously had a standing in the Church, but had fallen away, were awakened to a sense of their position by the preaching of the elders. One of the potent factors in bringing the Saints to an awakened interest in the faith was the impending fulfillment of the Prophet Joseph's prediction concerning the forthcoming war, and great preparations were being made for an exodus of the Saints in the eastern states for the west.[42] As the war between the states grew more

40. Sketch of the mission to the Cherokee, Creek and Chotaw Indians, 1855-60, by Elder Henry Eyring, copied into Hist. of Brigham Young, *Ms.*, 1860, pp. 270-78.

41. *Deseret News* of Oct. 3, 1860.

42. See reports from New York letters concerning the work of Elders Pratt and Snow summarized, Hist. Brigham Young *Ms.*, entry for April 6th, 1861, p. 146. See also Letter of Orson Pratt to Geo. Q. Cannon, date of May 24, 1861, *Mill. Star*, Vol. XXIII, p. 395.

severe, however, and absorbed the entire interest of public thought and attention, President Young's mind was that all the Elders in the United States should be called home "in consequence of the war now raging throughout the land."[43] These brethren were called home accordingly, and returned in the fall of 1861. This put an end to missionary activity in the United States until some time after the close of the war.

Subsequently but within the period-scope of events treated in this chapter—Orson Pratt,[44] with Elder William W. Riter associated with him, endeavored to open a mission in Vienna, Austria. They arrived in the capital of the Austrian Empire about mid-January, 1865, and thereafter labored diligently for seven months in that land. "But in consequence of religious intolerance they were unable to open the door for the proclamation of the gospel in that country."[45] After returning to England both these Elders continued to labor for some time in the British Mission.

Connected with this survey of the missionary activities of the Church should be noted a change in the method of bringing the immigrating Saints from the Missouri river westward over the plains. Up to this time the manner of procedure had been to have Church agents purchase for the immigrating companies teams and wagons in the east, and thus made it necessary to drive the teams only from Missouri river points to Salt Lake valley. In the Spring of 1860, however, an ox-train of twenty-nine wagons under the command of Joseph W. Young, nephew of President Brigham Young, and the son of Lorenzo Dow Young, was sent east for merchandise, machinery, etc. The journey was made from Salt Lake valley to Florence, on the Missouri river, and back to Salt Lake City, the same season. The train arrived in the latter place on the return journey the 3rd of

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43. Hist. of Brigham Young, *Ms.*, entry for June 14th, 1861, p. 246.

44. Elder Orson Pratt had been called to this mission to Europe in April, 1864. He went *via* California and the Isthmus, New York, and so to England, where he arrived—having traveled 9,000 miles—on the 17th of July. He labored in the "British mission for several months, preaching in great power," and finally, as stated in the text above, endeavored to introduce the gospel into Austria. His companion, Elder William W. Riter, had been laboring in the Swiss and German Mission for some time when called to accompany Elder Pratt to Austria.

45. Answer to Questions—Geo. A. Smith, p. 36; also *Mill. Star*, Vol. XXVI, *passim*.

October, with the cattle that had made the trip both ways in as good condition as some that had made the journey only from the states to the valley. The train was known as the "Church Train."[46] It was the first time the experiment had been made, and its success was big with suggestion.

In the latter part of February, 1861, a circular was issued by the Presidency of the Church to Bishop Edward Hunter informing him, and through him the bishops throughout the Church, that in the ensuing season of immigration it had been determined that two hundred wagons with four yoke of cattle to the wagon should be sent from Salt Lake to the Missouri river to bring in the immigrating saints, as also such merchandise and machinery as could not be dispensed with, and asked the hearty co-operation of the bishops in carrying out this project. The success of the "Church Train" experiment of the previous year was pointed to as justifying the expectation that such a plan was practicable.

"We are rich in cattle" said the Presidency's circular, "but do not abound in money, either at home or abroad; and we desire to so plan and operate as to use our small amount of money and large number of cattle in the best possible manner for accomplishing the best good." Hence this new trans-plains immigration scheme.

In addition to the four yoke of cattle to the wagon, the plan also included the sending as many loose oxen to Florence as the year's immigration that came independent of Church aid might want to purchase for their outfit. Thus supplying for the people of Utah a market for their surplus cattle and saving in the hands of the Church members, "from about ten thousand to thirty

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46. See Hist. of Brigham Young, *Ms.*, entry for Oct. 3rd, 1860, p. 321; also *Deseret News* of Oct. 10th, same year. Elated at his success, and justly so, the Sunday following his arrival home, the Captain of the "Church Train" delivered a brief discourse on what he called, "the science of ox-teamology," explaining the art of preserving cattle upon the plains and making them perform two trips across the plains in one season. (Hist. of Brigham Young, *Ms.*, Oct. 6th, p. 327) Joseph W. Young had been identified with transplains and mountain immigration from 1847, when he made his first journey from Winter Quarters to Salt Lake Valley. So prominent was he in this department of activities that he stands among the first of the plains' captains of those early days. Indeed he is spoken of by his only biographer—Tullidge—as having been for a long time, "the executive brain of the emigrations of his people." "Life of Brigham Young, or Utah and Her Founders" —supplement—p. 100, et seq.

thousand dollars, which had hitherto been paid out yearly in cash for cattle and wagons." This was a small amount as monetary matters are now viewed in these days of "big business"; but in those days, and to a small, isolated community, marooned from the busy marts of the world's trade and commerce, it was an item of great importance. Moreover, the arrangement afforded the opportunity of shipping eastward such products as the community had to dispose of. These of course, in the main, were the surplus cattle that could be driven down with the ox trains loose; and the provisions, of flour and meat that could be sent for the use of the immigrants, and deposited along the line of travel to be picked up *enroute* when returning. With the east bound trains for the emigration of 1863, however, was sent 4,300 pounds of Utah raised cotton for sale.[47] A good teamster, well supplied with provisions, bedding, etc., was to go with each wagon and team of four yoke of oxen, besides extra men as night herdsmen. The ecclesiastical wards that fitted out these teamsters to go after the poor were to receive credit on their tithing for the supplies furnished. Very full instructions were given in the Presidency's circular referred to, and nothing essential to security and efficiency of the trains was overlooked.[48]

The first season this new plan went into effect the four companies into which the two hundred church wagons were divided left Salt Lake City between the 23rd and the 30th of April, carrying with them 150,000 lbs. of flour,[49] and also other provisions for the immigration of that year.

In the second year under the new plan 262 wagons were sent east, with 293 men, 2,880 oxen, and 143,315 lbs. of flour. They were organized into six companies for convenience in traveling.[50] The third year 384 wagons were sent east, with 488 men, 3,604 oxen, taking 235,969 lbs. of flour. The 384 teams were divided

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47. *Deseret News* of April 29th, 1863, also Jensen's Church Chronology, p. 69.

48. The circular *in extenso* will be found in Hist. Brigham Young, *Ms.*, entry for Feb. 28th, 1861, p. 93, et seq.

49. The captains of the four companies, respectively, were Joseph W. Young, Ira Eldredge, Joseph Horne, and John R. Murdock. See Letter of Geo. A. Smith to John L. Smith of April 23rd, copied into Hist. Brigham Young, *Ms.*, 1861, p. 163-5; and Jensen's Chronology, same year, p. 65.

50. Jensen's Church Chronology, p. 67. The captains were Horton D. Haight, Henry W. Miller, Homer Duncan, Joseph Horne, John R. Murdock and Ansel P. Harmon.

into 10 companies.[51] In 1864, 170 wagons, 1,717 oxen, and 277 men, with a proportionate amount of provisions went east for the poor.[52] In 1865 no teams were sent from Utah for the immigration of the poor. The strenuous efforts of the three preceding years had exhausted the ability of the people to carry on this work for the present; and the Saints in Europe were accordingly informed in due time that this assistance from the Missouri river westward could not be supplied. The Saints were encouraged by letter from President Young, and also by editorial instruction through the *Millenial Star* that those having means to carry them either to New York, or on through to the usual Missouri river points should make the journey to those points; and those who had the means to make the journey through to Utah should by all means come. Two companies of through-bound immigrants made the journey led by Miner G. Atwood and Wm. S. Willis respectively. The latter had to be met by a relief train some three hundred and fifty miles from Salt Lake Valley.[53]

In 1866 the ox trains sent after the poor were ten in number; they had ten captains, 456 teamsters, 49 guard men, mounted, 89 horses, 134 mules, 3,042 oxen and 397 wagons; 62 additional wagons, 50 head of oxen and 61 mules were ordered to be purchased in the states.[54] A relief train under Arza E. Hinkley was sent out over the line of travel about 450 miles to take food supplies and afford additional help to some of the last companies, enroute this season.

In 1867 no ox trains were sent to the east for the poor, owing in great part to the growing seriousness of what was known as the Black-Hawk Indian war, begun in 1865. The immigration of that year, 1867, numbered only about 500, and they were able to come by rail to North Platte, 391 miles west from Omaha, and

51. *Ibid*, p. 69. The captains were John W. Wooley, John R. Murdock, Horton D. Haight, Peter Nebeker, W. B. Preston, Thomas E. Ricks, Rosel Hyde. John F. Sanders, Samuel D. White, and Daniel McArthur. Horace S. Eldridge acted as Church emigration agent in the east that season.

52. Jensen's Church Chronology, p. 7, Introductory statement for 1864.

53. See *Mill. Star*, Vol. XXVII, p. 40, et seq.; also Jensen's Church Chronology, p. 74.

54. *Ibid*, p. 74. The train captains this year were Thomas E. Ricks, Samuel D. White, William Henry Chipman, John D. Holladay, Peter Nebeker, Daniel Thompson, Joseph S. Rawlins, Andrew H. Scott, Horton D. Haight and Andrew Lowery.

from thence the journey was made by independent ox teams. The next year, 1868, an extraordinary effort was made by the Church in Utah to immigrate the poor Saints from Europe and more especially from Great Britain. For this purpose seventy thousand dollars in money was raised, to be expended in payment of fares; and in addition about five hundred teams were sent to the terminus of the Union Pacific railroad, which by this time had reached Laramie City in Wyoming, about four hundred and twenty miles from Salt Lake City. The five hundred teams were divided into ten companies with a captain to each;[55] the equipment, while as complete as ever, was lessened in proportion to the shortened journey.

The immigration into Utah from Europe and the United States in 1868 was nearly 4,000 souls; and this was the last season it was necessary to send ox or mule trains eastward to help in the immigration, as on the 8th of March, of the ensuing year, the Union Pacific Railway had reached Ogden, Utah; and put an end to the remarkable system of emigrating the poor of its membership by ox trains, which the Church had developed to a very high standard of efficiency.

It should be understood that this system of immigration was undertaken by the Church in behalf of the poor of its membership only, and did not represent the total immigration of the Saints. Many of these, having sufficient means of their own, came independently of this movement, except that they generally travelled in the company of the Church trains in order to have the advantage of the leaderships of their experienced captains and the security that came from travelling with them. When the summary of the Mormon Church's benevolent achievements shall be made, this great and brave work of bringing thousands of the poor to the lands of the west—bringing the people that needed land, to the land that need people, must not be overlooked.[56] In

55. The captains this year were Edward T. Mumford, Joseph S. Rawlins. John G. Holman, Wm. S. Seeley, John R. Murdock, Daniel McArthur, John Gillespie, Horton D. Haight, Chester Loveland, and Simpson M. Molen. (Jensen's Church Chronology, p. 78.)

56. Undoubtedly thousands of people immigrated by means of the Church ox team method, who never could have become land owners in their native countries, in a few years became the owners of their own homes, and of the lands they cultivated; and what is of even greater importance their posterity of the succeeding generation became in large part the land proprietor class of the intermountain west.

its passing, much that was romantic in Utah Mormon life also passed away. True such a method of traveling—"gathering to Zion," the Saints called it—had toil and hardships and dangers attendant upon it. There was the weariness, to women and children especially, of the long, daily marches—for all must walk, except in case of sickness, the wagons being heavily loaded with baggage and precious freight. There was the heat of the blazing, summer's sun; the hot winds of the Nebraska plains; the mountain storms, and the chilly nights to which all were exposed. There was the danger of swollen streams, whether to be forded or ferried—which occasionally claimed their toll of victims.[57] There were sometimes night drives to make in order to reach desirable places of encampment where there would be the necessary water and grass and fuel. There was night-guard duty as well as the toil and annoyances of each day's drive. There was some times scant food supplies, owing to some unlooked for delays in the journey. There was frequent sickness and occasional deaths to cast gloom over the marching companies. There was the lurking bands of savages, the constant fear and danger of their midday and midnight assaults; an occasional looted stage coach, with its murdered and scalped passengers; an occasional burned station with the half charred and stripped and mutulated victims lying in the smoldering ruins to emphasize these fears and prove them not ungrounded. There was the reported misfortunes of trains in advance and trains in the rear; there was the occasional attack upon their own train or cattle herds; and sometimes the savages, though waging unequal warfare, brought down their victims in the Mormon trains and made off with considerable booty.

But all the days were not gloomy, and all the experiences were not sad, nor adventurous. Traveling in large companies, in close proximity, captained by men of experience and judgment and courage—these reduced the discomforts of the journey and the dangers of the route through hostile Indian tribes to a minimum.

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57. For instance in this very last year of the ox train immigration "niels Christoffersen and Peter Smith of Manti; Peter Nielson of Fair View; Christien and Christian Nebelah of Mount Pleasant and Thomas Yeates of Milville, all belonging to the church trains, were drowned at Robinson's ferry on Green river by the capsizing of a ferry-boat." Jensen's Church Chronology, 1868, p. 78.

These plains' captains were as fathers to their companies. The toiling teams straining the live-long day under the yoke in heat and dust and mountain cold, were the objects of their solicitude; the health and safety of the volunteer teamsters—young men in the main—making the journey not for wages but for free service of fellow men, were carefully guarded; the immigrating poor appealed to them for both guidance and protection, and paid for these with their only currency—devoted obedience to the captains' orders. There were times when the fuel was plentiful and the camp-fires large and bright, and surrounded by merry groups, for youth was there in these trains, and sometimes beauty, and charm, and there was music and dancing. Despite the fears and cautions and warning of the elder folk, and strict camp regulations, love would have its way, and courtships were carried on in these traveling hosts, to be consummated in holy wedlock at the end of the journey. There was song service and prayers each day, sometimes in the subdivisions of the camp, sometimes by the whole camp in general assembly. The Christian Sabbath was usually observed, and there was expositions of the gospel of the Christ, exhortations to righteousness, and to the daily performance of the plain duties *en march,* and in camp life. All the characteristics of the earlier pioneer companies that made the journey over these same plains and mountain highways to the Salt Lake Valley, were characteristic of these later companies. These were not ordinary immigrants. Charles Dickens, it will be remembered, said of one group of eight hundred of the English members of the Church, starting from the London Docks, that "in their degree they were the pick and flower of England." He confessed that he thought "it would be difficult to find eight hundred people together anywhere else and find so much beauty and so much strength and capacity for work, among them." He notes through the ship captain, too, the genius for organization which had taken a great number of groups of people from widely separate sections of England and Wales, who had never seen one another before, and yet they had not been two hours on board before they had "established their own police, made their own regulations, set their own watches at the hatch-ways, and before nine o'clock [of the first night on board]

the ship was as orderly and quiet as a man-of-war." What was said of that ship load of English and Welsh Mormon emigrants might be said of the Mormon emigration from Scandinavia, and other European countries. The same genius for organization and the establishment of order was manifested in the companies of these immigrants in their journey over the plains and mountains.

Now that the railway had been pushed across the plains into Salt Lake Valley, the toiling and moiling, the hardship and the dangers attendant upon the ox-train method of traveling was ended, and one may do no other than to rejoice at it, but with its displacement there went, as I have before said, much of the romance and the strange joy of "gathering to Zion;" much that made for the exercise of Christian virtues and the development of high character among the people.

The same year that witnessed the ox train method of traveling overland pass away—1868—saw also the sailing vessel pass as a means of ocean travel so far as the great Mormon companies were concerned. The last of these companies, numbering four hundred and fifty-seven, British, Swiss, and German Saints, came in the sailing ship *Constitution* in charge of Elder Harvey Cluff, it was six weeks in transit. Thereafter the journey was made by steam packet, and soon the ocean voyage was made in as many days as it had taken weeks in the sailing vessels.[58]

NOTE 1. CHARLES DICKENS—UNCOMMERCIAL TRAVELER—ON LATTER-DAY SAINT EMIGRANTS FROM ENGLAND: (The visit of Dickens was made to the ship *Amazon,* which sailed from London with between eight and nine hundred members of the church on board, June 4th, 1863):

"I go aboard my emigrant ship. * * * Nobody is in ill temper, nobody is the worse for drink, nobody swears an oath or uses a coarse word, nobody appears depressed, nobody is weeping, and down upon the deck in every corner where it is possible to find a few spare feet to kneel, crouch, or lie in, people in every unsuitable attitude for writing, are writing letters.

"Now, I have seen emigrant ships before this day in June. And these people are so strikingly different from all other peo-

58. The next load of Mormon Emigrants, numbering 600, came in the steamship *Colorado,* and made the journey in two weeks, a steamship schedule which has been cut down by more than half the number of days in later years.

ple in like circumstances whom I have ever seen, that I wonder aloud, 'What would a stranger suppose these emigrants to be!'

"The vigilant bright face of the weather browned captain of the *Amazon* is at my shoulder, and he says, 'What, indeed! The most of these came aboard yesterday evening. They came from various parts of England in small parties that had never seen one another before. Yet they had not been a couple of hours on board when they established their own police, made their own regulations, and set their own watches at all the hatchways. Before nine o'clock the ship was as orderly and as quiet as a man-of-war.' * * * A stranger would be puzzled to guess the right name for these people, Mr. Uncommercial," says the captain.

"Indeed he would."

"If you hadn't known, could you ever have supposed?"

"How could I! I should have said they were in their degree, *the pick and flower of England.*"

"So should I," says the captain.

"How many are they?"

"Eight hundred in round numbers." * * * Eight hundred what? Geese, villain? Eight hundred Mormons. I, Uncommercial traveler for the firm of Human interest, Brothers. had come abroad this emigrant ship to see what Eight hundred Latter-day Saints were like, and I found them (to the rout and overthrow of all my expectations) like what I now describe with scrupulous exactness. The Mormon agent who had been active in getting them together and in making the contract with my friend the owners of the ship to take them as far as New York on their way to Great Salt Lake, was pointed out to me. A compactly-made, handsome man in black, rather short, with rich brown hair and beard, and clear bright eyes. From his speech, I should set him down as American. Probably, a man who had "knocked about the world" pretty much. A man with a frank, open manner and unshrinking look; withal a man of great quickness. I believe he was wholly ignorant of my Uncommercial individuality, and consequently of my immense Uncommercial importance.

Uncommercial. These are a very fine set of people you have brought together here.

Mormon agent. Yes, sir, they are a very fine set of people.

Uncommercial (looking about). Indeed, I think it would be difficult to find Eight Hundred people together any where else, and find so much beauty and so much strength and capacity for work among them.

Mormon Agent (not looking about, but looking steadily at

Uncommercial). I think so. We sent out about a thousand more yesterday, from Liverpool. * * *

"Among all the fine handsome children, I observed but two with marks upon their necks that were probably scrofulous. Out of the whole number of emigrants, but one old woman was temporarily set aside by the doctor, on suspicion of fever; but even she afterwards obtained a clean bill of health. * * *

"I afterwards learned that a dispatch was sent home by the captain before he struck out into the wide Atlantic, highly extolling the behavior of these emigrants, and the perfect order and propriety of all their social arrangements. What is in store for the poor people on the shore of the Great Salt Lake, what happy delusions they are laboring under now, on what miserable blindness their eyes may be open then, I do not pretend to say. But I went on board their ship to bear testimony against them if they deserved it, as I fully believed they would; to my great astonishment they did not deserve it, and my predispositions and tendencies must not effect me as an honest witness. I went over the *Amazon's* side, feeling it impossible to deny that, so far, some remarkable influence had produced a remarkable result, which better known influences have often missed."

In a foot note from the above our author adds:

"After this 'Uncommercial Journal' was printed, I happened to mention the experience it describes to Mr. Monckton Milnes, M. P. That gentleman then showed me an article of his writing in '*The Edinburgh Review*' for January, 1862, which is highly remarkable for its philosophical and literary research concerning these Latter-day Saints. I find in it the following sentences: 'The Select Committee' of the House of Commons on emigrant ships for 1854, summoned the Mormon agent and passenger-broker before it, and came to the conclusion that no ships under the provisions of the 'Passengers Act' could be depended upon for comfort and security in the same degree as those under his administration. The Mormon ship is a Family under strong and accepted discipline, with every provision for comfort, decorum, and internal peace."

NOTE 2. THE PROPHETIC AND HISTORICAL CONNECTION OF NAPOLEON III. WITH MORMONISM. In the Book of Mormon is a prophecy that declares that the land of America is a land of promise; a land that shall be devoted to free institutions; "*and there shall be no kings upon the land, who shall raise up unto the Gentiles;* and I will fortify this land against all other nations; and he that fighteth against Zion (the land of America) shall perish,

saith God; *for he that raiseth up a king against me shall perish;* for I, the Lord, will be their king.'"*

The effort of Napoleon III. to found a monarchy in Mexico, 1862-1867, is historical. Believing that the War between the States would end in the dissolution of the American Union he judged the time opportune to set up a Latin Empire which would counterpoise the Anglo Saxon republics in the western world: and be induced Archduke Maximilian, brother of the Austrian Emperor, Francis Joseph, to accept the crown of the proposed new Empire, Napoleon promising an army of twenty-five thousand French soldiers for the maintenance of the new government. The proposition was accepted, and Maximilian was proclaimed Emperor of Mexico. This took place while the United States was engaged in its own civil war. The government could make no protest against this flagrant violation of the Monroe Doctrine at the time, further than to refuse recognition to any authority in Mexico except that of the deposed president of the republic, Juarez. As soon as the civil war ended, however, notice was served upon the Emperor of the French that his soldiers must be withdrawn from Mexico, and he judged it expedient to comply with the demand, though it involved him in a dastardly desertion of Maximilian whose situation at once became precarious. The faithful consort of Maximilian, Carlotte, went from court to court of Europe, making a vain appeal for assistance for her husband, and denouncing Napoleon's desertion of him. In this effort to save her husband Carlotte's reason was overthrown, and so remains, though syndicated "foreign news" to the American press under date of Jan. 20th, 1914, announces some hope of returning sanity for the unfortunate lady.†

Maximilian deserted by the French emperor and his army fell an easy victim to Juarez, the deposed president of the Mexican republic. He captured Maximilian and had him shot as a usurper, June 19, 1867. "The French Empire" says Edwin A. Grosvenor, professor of modern History in Amherst College, never recovered from the shock of this Mexican failure.§

Napoleon III., in 1870, engaged in a war with Germany, in which he and France suffered the most humiliating defeat ever inflicted on a modern state or its ruler. Marshal Bazine surrendered an army of 173,000 at Metz, without striking a blow. The Emperor himself was captured at Sedan after three days of hopeless fighting, and another army of 104,000 men surren-

*Book of Mormon, II Nephi, X; 10-14.
†See *Deseret News* of January 31st, 1914.
§Contemporary History of the World—1899—p. 24.

dered to the Germans. France lost her two Rhine provinces, Alsace and Lorraine, and was compelled to pay a war indemnity of $1,000,000,000 within three years. The French people deposed the Emperor and about two years later he died in exile at Chislehurst, England. The Empress Eugenie was also forced into exile and became the guest of England. On June 1st, 1879, the Prince Imperial of France, the only son of Louis Napoleon, was killed in South Africa in England's war with the Zulus. Thus perished Maximilian, the would-be-emperor of Mexico; thus more than perished his faithful but unfortunate consort, Carlotte; thus was Louis Napoleon, Emperor of the French, hurled from the mightiest throne of Europe; thus he perished, and perished also his only son the Prince Imperial. The whole scheme of founding monarchy in Mexico failed. Disaster fell upon all who were parties to it; the family of Napoleon III, was wiped out of existence. The land of America, from the time it became known to the Gentile races, is dedicated to free institutions—to the freedom of those who shall inhabit it, according to the Book of Mormon. "And he that raiseth up a king against me shall perish," saith the Lord. (For further treatment of this theme and other prophecies of the Book of Mormon, see the Author's "New Witness for God." Vol. III, Chapter XII).

CHAPTER CIV

Miscellaneous Events 1857-65. Settlement Expansion—Utah's Dixieland: Bear Lake Valley Settlements: Historic Buildings—Rise of the "Reorganizd Church"—Notable Deaths.

There were two notable colony extensions by the Latter-day Saints' during the period here considered: namely, the founding of settlements in the valley of the Rio Virgin, in the southwest corner of Utah, 1861-2; and also in the Bear Lake Valley, in the northeast corner of Utah, and in the southeast corner of the then New Territory of Idaho, 1863-4.

The movement of settlers to the Rio Virgin valley was made with a view to strengthening the settlements already in existence on the Santa Clara river and Rio Virgin; also to diversify the industries of the community, and provide more largely from their own productions the community's needs. "It is expected," said President Young, concerning those who were being called

upon this mission, "that the brethren will become permanent settlers in the southern region, and that they will cheerfully contribute their efforts to supply the Territory with cotton, sugar, grapes, tobacco, figs, almonds, olive oil, and such other articles as the Lord has given us the places for garden spots in the south to produce."[1]

Among the needs of the people none was more urgent than cotton fabrics; and as the valley of the Rio Virgin, climate and soil, seemed to be adapted to the raising of cotton, the movement to strengthen the settlements in "Utah's Dixie" was made, and was some times referred to as the "Cotton Mission." Doubtless also in the breaking out of the war between the states the Church leaders in Utah foresaw the possible destruction of the cotton industry in the United States, for some years at least, and hence an additional reason for inaugurating cotton production in southern Utah for local consumption.

President Young with a large company of leading brethren and sisters, among whom were Daniel H. Wells, Geo. A. Smith, John Taylor, Wilford Woodruff, A. O. Smoot, Mayor of Salt Lake City, presiding Bishop of the Church, Edward Hunter, Albert Carrington, and others made a visit to the southern settlements in May and June, 1861.[2] The journey extended to the Santa Clara settlement on the Santa Clara river, to Tonaquint at the mouth of the Clara; thence *via* Washington, the shire town of Washington county—the organization of which was provided for by the Utah legislature in 1852[3]—to Toquerville, on Ash Creek, and to the smaller settlements in the upper Rio Virgin Valley; thence to Cedar City, via Fort Harmony. The party returned to Salt Lake on the 8th of June.[4] It was this visit that led to the determination to enlarge the settlements of the south for the purpose, in the main, of raising cotton.

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1. Brigham Young's letter to Orson Hyde, Oct. 13th, 1861, on the "Cotton Mission," copied into Hist. of Brigham Young, 1861, pp. 440-1. In this movement of settlers to the South, Orson Hyde is requested to select 30 or 40 families for the "Cotton Mission." "John Taylor was directed to call 50 families to go on the 'Cotton Mission.'" Hist. of Brigham Young, *Ms.*, entry 13th Oct., 1861, p. 438.

2. "Our company consisted of 48 men, 14 women, 2 children, 23 carriages, 21 horses, 42 mules." Woodruff's entry for 15th of May, 1861.

3. See Acts of Legislative Assembly of the Territory, 1852, p. 164.

4. See entries of Woodruff's Journal between dates of 15th of May and 8th of June, 1861. Also Hist. of Brigham Young, *Ms.*, for same period.

The settlement of the Rio Virgin valley began in 1854. Jacob Hamblin, Rufus Allen and others, who had previously been engaged as missionaries among the Indians of this southern region, in the year above named built a few log houses on the Santa Clara, about nine miles above its junction with the Rio Virgin, which they afterwards surrounded by a stone wall nine feet high, two feet thick, and one hundred and twenty feet square, to which they gave the name "Santa Clara Fort."

Three years later, *viz.* 1857, a settlement on the Rio Virgin, fourteen miles southeasterly from Santa Clara fort, was founded and called Washington. The purpose in founding Washington was to raise cotton. The people settling here were chiefly from Texas and other southern states. But the character of the country was new to them, and its desolate appearance wrought in fantastic, volcanic formations—the product of violent cataclysms as well as of rapid erosions in very recent geological times—looked both formidable and forbidding. The added burden of irrigation in cultivating the soil, to which these people from the southern states were not accustomed—all these things tended to dishearten them and to render them "home sick." Not more than a score of the first one hundred settlers of Washington remained in the southern country; and owing to the use of bad seed—brought from Texas, and several years old—unskilful irrigation, and general dissatisfaction with the country, led to repeated failures in the experiments of raising cotton.[5] However, a little was raised each year. Improvement in quality was noted—the seed appeared to become acclimated, and gave encouragement to the enterprise.[6] Meantime peach-stones and grape cuttings from California were planted, and thrived beyond all expectation. The people also began to find that they were in the midst of extensive ranges that could be utilized the year round for raising stock. "Many of the early settlers," wrote Geo. A. Smith, in October, 1861, "who have remained there [i. e. at the Washington and other southern settlements], are acquiring con-

5. "Many southern men who had been cotton raisers declared that cotton never could be raised there, and that it was only a hoax to think of it." (Geo. A. Smith's Hist. of the settling of Southern Utah, copied into Hist. Brigham Young, *Ms.*, 1861, pp. 452-7).

6. *Ibid*, p. 455.

siderable herds of cattle, goats, and sheep, which they keep at the Mountain Meadows and other places found along the rim of the Great Basin, and other grassy places within forty miles of their settlements."[7]

In the spring of 1858 a settlement was made by Joshua I. Willis on Ash Creek, an indirect tributary of the Rio Virgin, afterwards called Toquerville.[8] The soil here was not so fertile as in other "Dixie" settlements, but the climate was more healthful and the settlement was permanent. The year following—1859—settlements were made in the Upper Virgin valley by Nephi and Sixtus Johnson, and others. A high plateau pressed southward to the bank of Rio Virgin above the joined mouth of Ash and La Verkin Creeks, while almost on the opposite bank there ranges up from the south another plateau known as Hurricane Cliffs, Eastward of the narrow pass thus formed for the Rio Virgin is the Upper Virgin valley, to reach which the Johnsons and their associates had to pass through canons and over mountains hitherto thought to be impassable. The climate proved to be healthful, the soil exceptionally fertile—"almost to an excess" —said Geo. A. Smith, and prosperity attended these settlements from the first.[9]

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7. *Ibid,* p. 456. Later they found more extensive stock ranges, and especially for the winter season, south and east of the Rio Virgin; and this industry, stock raising, has been the principal source of wealth to the people of that part of Utah, the markets being, as yet, too remote, and too difficult to reach from their rugged, broken country, to admit of any extensive shipment of their matchless fruits and vegetables to advantage.

8. "Toquer," in the Indian language of the region, signifies "black," and was the name of an industrious Indian Chief who was found here when the first Mormon explorers traveled through this country. "From him this place derived its name." Correspondent of the *Deseret News* from "Dixie"—J. V. Long, with Pres. Young's party (Vol. XII—1862—p. 108). From the same correspondent we learn that the Rio Virgin was called *"Pah Roosh,"* by the Indians (*Id.*). This doubtless is the *"Parrusi"* of the Catholic Fathers, the name of a people inhabiting a region that is undoubtedly the Rio Virgin Valley, according to the diary of Fathers Dominguez and Escalante. Describing the people in the vicinity they say: "From here we went down the river, and on the banks of either side were large settlements peopled, as we supposed, by these Indians, who planted the corn and squashes, and who, in their own language are called *Parrusi.*" (See the Journal of Father Escalante, published *in extenso* in The Catholic Church in Utah, p. 202, c. f. p. 254). What is known as the old Spanish trail, an early route between Santa Fe and Los Angeles, passed through the Rio Virgin Valley; it was, of course, the passing of the Spaniards through this region, which gave the evidently Catholic names to the streams—*Santa Clara, Rio Virgin, La Virken,* etc.

9. The *data* for the foregoing account of the Rio Virgin settlements, up to 1861, is from Geo. A. Smith's "History of the Settling of Southern Utah," dictated in the Church Historian's Office, to J. V. Long, transcribed and copied into Hist. of Brigham Young, *Ms.,* entry for Oct. 17, 1861, pp. 452-7.

Such the conditions in the southern settlements when President Young inaugurated the movement to strengthen them, and make successful the raising of cotton in "Utah's Dixie." Between two and three hundred families were called to go upon this mission in 1861. Elders Orson Pratt and Erastus Snow were appointed to take charge of the Mission;[10] and such men as Horace Eldridge, Jacob Gates, Henry Harriman, Nicholas Grosebeck, Angus M. and David H. Cannon, James G. Bleak, Anthony Invins, Nathaniel V. Jones, Henry W. Naisbitt, Claudius V. Spencer, *et al.*, were called to the mission and "are expected to become," said President Young, permanent citizens of the Sunny South."[11] Those called in 1861, amounting in all to 309 men,[12] were among the most prosperous and enterprising people of the community. Besides this a company of between fifty and sixty immigrants from Switzerland, who arrived in Salt Lake City in October, under the charge of Elder Daniel Bonnelli were continued right on in a body to the Rio Virgin valley where they were finally settled in the vicinity of Santa Clara fort, their settlement becoming the Santa Clara of today.[13] Their knowledge of grape culture was the reason for locating them in the south.

On the arrival of the main body of the "Cotton Mission" on

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10. Letter of Brigham Young to Orson Hyde on the "Cotton Mission," Oct. 13th, 1861, copied into Hist. of Brigham Young, *Ms.*, pp. 440-1.

11. *Ibid.* He suggested that the new settlers for the south should include a number of "Mechanics—coopers, blacksmiths, carpenters, masons, plasterers, joiners." (*Id.*) To these were added "mill-wrights," with "musicans and singers and farmers to make the settlements thereby efficient" (Letter of Geo. A. Smith to Jacob Hamblin, *Id.*, p. 451.) "Bros. Pratt and Snow, in partnership, will take out a carding machine, threshing machine, and a sugar mill. Bro. W. H. Branch and A. M. Harriman, it is expected, will put up a saw mill somewhere on the Rio Virgin." *Id.*

12. This list of the entire mission will be found in Bleak's Hist. of Utah's Dixie. *Ms.*

13. The new "Clara Ward" was organized on the 22nd of Dec., 1861. "Hist. of Utah's Dixie," *Ms.*, Jas. G. Bleak, p. 99. The Swiss company of immigrants were conveyed to the Santa Clara in fourteen wagons, six of which were provided by the Church at Salt Lake City. They excited much curiosity and interest as they passed through the southern settlements "by their singing and good cheer." In all, that season's immigration into the Rio Virgin valley required more than four hundred wagons to convey it from the northern settlements. (See Letter of Geo. A. Smith to John L. Smith, date of Dec. 5th, 1861. Hist. of Brigham Young, *Ms.*, of same date, pp. 319-21.) Up to the advent of this 1861 immigration, after more than five years of effort at settlement in Utah's Dixie, there were but 79 families located there, distributed as follows: Washington, 20 families; Santa Clara Fort, 20; Toquerville, 10; Virgin City, 11; Grafton and Adventure, 6 each; Gunlock, 4; Harrisburg, 2. (Jas. G. Bleak's Hist. of Utah's Dixie, *Ms.*, p. 85.)

Ash Creek in the vicinity of Toquerville, a question arose as to whether they should settle in the upper or lower valley of the Rio Virgin. The report of the unhealthfulness of the lower Rio Virgin valley settlements reached them, and the question of location was seriously debated, with the result that the company divided, some going into the upper valley, and the others, the majority, into the lower one.

On the occasion of President Young's visit to the Rio Virgin valley in May, 1861, he had stood at the little settlement of Tonaquint and looked northward up a gently sloping valley between two and three miles in extent from the banks of the Rio Virgin. The valley is formed by "the projecting ridges of two spurs of the Pine valley mountains, opening and expanding toward the river skirting it on the south. Waving his hand to include this valley in the scope of his remark, the great Pioneer said: "There will yet be built between those volcanic ridges a city with spires, towers, and steeples, with homes containing many inhabitants."[14] The head of that valley, the place indicated by President Young, is where St. George now stands, with its beautiful white temple, with church steeples as well as the Temple tower, its substantial and creditable school and other public buildings, and around which are grouped "homes containing many inhabitants."

Near this site a large number of the 1861 immigrants to the Rio Virgin valley assembled on the 4th of December to discuss the founding of the city they were sent into this region to build. Several weeks had been spent in careful exploration, and now they were met here to decide the matter. Erastus Snow himself moved that a city be built, and that it be called *St. George*.[15] This motion carried, and a committee was appointed to locate the city in the valley to which they had assembled.

The committee appointed to determine the exact location of

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14. Bleak's Hist. of Utah's Dixie, p. 75.

15. This was not the origin of the name, however, since the name for the new city had been determined upon even before many of the immigrants of 1861 left Salt Lake City. A petition was drawn up to be sent to Washington, asking that the new city to be founded be provided with a post office. When the petition was submitted to President Young for approval, Elder George A. Smith asked President Young to name the city. "He told Elder Smith he would name it if he would be satisfied; and he [George A.] said he would be. The President then named it *"St George."* (Hist. of Brigham Young, *Ms.*, entry of 28th Oct., 1861, p. 469). The city was named for George A. Smith, of course.

the city did not report until the 12th of January, 1862. It then reported the location chosen to be at the head of the little valley already described, "near the upper gap leading to the Santa Clara settlement, on as high ground as could be watered by the springs on the slope"[16]—literally between "those volcanic ridges" of President Young's prediction.

The first building to be erected on the chosen site was a stone school house, twenty-one feet by forty, for which three thousand dollars was subscribed. The glass, nails, paint and some other things were not to be obtained short of California, and these necessary things were shipped from there, a distance of about seven hundred miles the round trip, and through a desert land.[17]

The building of their city thus begun, work went on rapidly, together with the construction of the necessary dams in the streams and the cutting of irrigating canals and lateral ditches for irrigation. This work was undertaken notwithstanding the new settlers early in January witnessed the destructive power of one of those sudden floods to which the Santa Clara and the Rio Virgin are subject. This flood undid much of the work of the earlier settlers. The pioneer dam in the Santa Clara river was torn out, and much of the farming lands both along the Santa Clara and the bottom land along the Rio Virgin were washed away. Some good however, accrued from this disaster. The former narrow and somewhat regular channels of both streams were torn and widened. "In the opinion of many of the old settlers," says a government report, "the flow of both streams as well as of some of the other tributaries was permanently increased by the opening of springs theretofore closed."[18] Irrigation has been an extremely costly factor to the settlers in the

16. "It is not large in extent," wrote Erastus Snow, here and above quoted, "and is laid out in blocks thirty-two rods square, containing each eight lots. There are thirty-six blocks and fractional blocks, one of which is a public square, and in all two hundred and fifty-six lots—eight by sixteen rods in extent—three of which are reserved for school purposes." (Letter to Geo. A. Smith, date of Feb. 10th, 1862, copied into Hist. of Brigham Young, *Ms.*, 1862, p. 332.)

17. When the time came for laying the cornerstones of this building, March 22nd, 1862, the above dimensions were enlarged to 26 by 46 feet, "having a basement story under the platform 12 by 22 feet, and an upper room for purposes of prayer. The cost of the building by the time it was completed was more than six thousand dollars, or double the amount first subscribed. It was named St. George Hall. Bleak's Utah's Dixie, *Ms.*, pp. 73-4.

18. "Report of Irrigation Investigations in Utah," directed by Elwood Mead, p. 211. For a description of the flood see *Deseret News* of Feb. 12th, 1862.

Rio Virgin and Santa Clara valleys; and the amount of land it has been possible to bring under cultivation has been and must continue to be very limited.[19] Still the people persevered in the mission to which they were appointed.[20] St. George had so advanced that it was divided into four ecclesiastical wards during the two days' conference held there on the 22nd and 23rd of March, 1862, and at which Elder Orson Pratt, assisted by Erastus Snow—constituting the Presidency of the mission—presided.[21]

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19. "In the first four years and eight months after St. George was founded $26,611.59 was spent in repairing and replacing dams and sections of the ditch, which had thus far watered 420 acres, making a tax of over $63 per acre for water alone. In 1864 the water tax per acre was $10.88; in 1865, $12; in 1866, $9, and in 1867, $9. But for the fact that these taxes were largely paid in labor it *would have been impossible for the settlers to meet them.* * * * Nor did these severe conditions give way to better conditions at once. For a number of years after 1867 the annual water tax in the Virgin field, to which the first ditch led, was $13 per acre. It was found practically impossible to build a dam in the river that would withstand even the more moderate floods. Rocks and piles sank in the quicksand of the river until hope of building a permanent dam was almost given up. On January 12, 1876, fourteen years after the little band pitched their tents in Virgin valley, the official returns made to the board of directors of the Virgin field showed that there were then 34 miles of community canals and ditches on the Virgin river and Santa Clara creek, which had cost $55,993; that there were 74 miles of private ditches, which had cost $5,820; that the cost of repairing dams and ditches had been $18,150, and that the total cost for irrigation works had been $79,963. * * * These figures but partially tell of the burden that had to be borne in settling the new southern wilderness. The cost of living was excessively high. Common labor cost $3 per day. Flour cost from $15 to $25 per hundred pounds. The price of sugar was $1 per pound; of molasses, $4 per gallon; of common cotton domestic, $1 per yard; of coal oil, $8 per gallon. One hundred dollars a thousand feet was paid for lumber 50 and 75 miles away. A sheep for a pound of tea was a common bargain. Provisions of all kinds were freighted by mule teams from San Bernardino or Los Angeles, Cal., at 16 cents a pound. Traffic in these commodities was practically all by barter, for cash was seldom if ever in circulation. Nor was there other than a local basis for values. Prices of produce to pay for work on dams and ditches were determined in mass meetings of the owners of the land watered. Prices of produce for taxes were fixed by the county court, and it is not uncommon to find entries in the county court records such as that made December 7, 1863, which states that "it was decided that molasses, at $1.75 per gallon, be paid R. L. Loyd for 72 pounds of cotton, which is hereby appropriated to pay for the probate and county court seals."

20. "The destruction caused by it," the then recent flood, said Erastus Snow in a letter to Geo. A. Smith—Feb. 10th, 1862—"was very extensive, but the industry and perseverance of the people will soon repair and restore what was lost or damaged. They are apparently not discouraged, but feel first rate, and those who went there of late are well pleased with the country and of the prospects before them." Copied into Hist. of Brigham Young, *Ms.*, p. 333.

21. Elder Pratt, who at first settled in the Upper Virgin valley, at what is now Rockville, had in the meantime moved to St. George, in order to better cooperate with his associate in the presidency of the mission. The four bishops of the respective wards of St. George were Robert Gardener, who was accorded a primacy among the other Bishops, and was made the "presiding bishop in the city of St. George, having charge of all the tithing business of the city," and at the same time acting as local bishop of the fourth ward. Ute Perkins was bishop of the first

The legislature of 1862 granted a charter for a city government,[22] and in 1863, St. George became the county seat of Washington county; and later the headquarters of the St. George Stake of Zion, and one of the four temple cities of Utah. It is the metropolis of the settlements along the Rio Virgin, and the Santa Clara and their tributaries, which now, having in mind the whole region south of the Rim of the Basin, number thirty towns and villages.

Washington county when organized in 1852 occupied all the territory in which these "south-of-the-Rim" settlements were formed from the Nevada to the Colorado line.[23] But in January, 1856, by act of the Utah legislature, "all that portion of Washington county lying east of a line passing through the largest mineral spring at the mouth of the Rio Virgin canon, until it reaches the summit of the dividing ridge between La Verkin and Ash creeks, thence northeasterly to the Iron county line" was detached, and organized as Kane county, named in honor of Gen. Thomas L. Kane, with Grafton as the county seat.[24] Subsequently, viz, 1880, the portion of Kane county east of the Colorado river was included in San Juan county, then organized. There were also some changes afterward in the county line between Washington and Kane counties by which the west line was moved some distance eastward.

Another consideration which led to the founding of these settlements south of the Rim of the Great Basin was to make them a connecting link between Utah settlements in the north and what was regarded as the "head of Navigation on the Colorado river." From the beginning of the settlement of the Salt Lake valley.

President Young, it will be remembered, had manifested a desire for direct connection between the Salt Lake valley settlements and the coast. To insure this, as we have seen, the bound-

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ward; Wm. Fawcett was bishop of the second ward, which being thinly inhabited was attached to the first ward, and its bishop made first counselor in the bishopric of the first ward. Daniel A. McArthur was made bishop of the third ward. See minutes of the conference in Hist. of Brigham Young, *Ms.*, Entries for March 22nd, 1862, pp. 405-10.

22. By act approved Jan. 17th. See Utah Acts of the Legislature, edition of 1866, pp. 166-7.

23. Acts of the Utah legislature, 1852, p. 164.

24. For act of the legislature see *Deseret News* of March 9th, 1864.

aries of the provisional state of Deseret were made to include a strip of the coast line of what is now southern California; the design being to connect that stretch of coast and Salt Lake valley by a line of settlements, within easy stages of each other, along which line the immigration to Salt Lake valley could pass from the coast with more of ease and safety than across the plains from the Missouri frontiers. Having met with disappointment as to a stretch of coast line for the state of Deseret or Utah, he still expected to found the line of Mormon settlements from southern Utah to the coast, and as a beginning to this end gave his consent to the purchase of the San Bernidino ranch by Amasa M. Lyman and Charles C. Rich. That plan having been broken up by the necessity of concentrating all the Mormon strength in Utah to meet the issues arising from the "Buchanan Blunder" in sending an army to Utah, the next step in this effort to get connection through a line of Mormon settlements with the coast was by way of these Rio Virgin valley settlements, by extending them to the "head of navigation on the Colorado river." Accordingly, late in the year 1864, Anson Call, the founder of Filmore, was sent to a point on the Colorado river about 125 miles southwesterly from St. George, to select a site for a Church warehouse and station, afterwards known as "Call's Landing."[25] This would have placed Salt Lake valley within about four hundred and fifty miles of a waterway to the sea. There could be no doubt as to the practicability of this route for freight and immigration. There was in existence at the time "The Colorado Navigation Company," which had plied steamers up the river for some distance for years; but for some time previous to the founding of Call's Landing had been hindering rather than developing the traffic on the river in the hope of getting large government appropriations to remove alleged obstructions near the head of navigation on the stream. Finally a new company, known as the "Union Line" after bitter opposition from the old company and other powerful influences in San Francisco, was organized, and demonstrated

25. Letter of Anson Call to Horace S. Eldridge, President of the Deseret Mercantile Association, dated at Vegas Springs, thirty miles from Calls Landing, copied into Hist. of Brigham Young, entries for Jan., 1865, pp. 21-4. "Calls Landing" is referred to in Major Powell's Report of his explorations of the Colorado as Callsville;" also in Encyclopedia Brittanica, Art. *Colorado.*

that the Colorado was "navigable with vessels carrying one hundred and twenty-five tons for six hundred miles from its mouth, at all seasons of the year"; that is, from its mouth to Call's Landing, and that without the need of removing any alleged obstructions. In fact the Steamer *Esmerald*, Captain Trueworthy, in 1865, brought one hundred tons of goods and lumber for parties at Call's Landing to within twenty miles of that place, passing the alleged obstructions without difficulty, and the river at its lowest stage."[26] The reason for not going the remaining twenty miles to Call's Landing was not because of impassable barriers in the river, but because that by the time of the arrival of the vessel within twenty miles of the landing the parties in charge of the steamer learned that the work upon the Church warehouse was suspended, and the parties building it had returned to Salt Lake City.[27] The warehouse, however, was completed, and there was the shipment of some goods from that point, though at first there were some disappointments, and dissatisfaction among the Salt Lake merchants who patronized the route.[28] Two steamships, the *Esmeralda* and *Nina Tilden* made the trip some what regularly from the mouth of the Colorado to Call's Landing, connecting with other steamships plying between the mouth of the Colorado and San Francisco. The owners of the river boats carried a standing advertisement in the *Salt Lake Telegraph,* thus seeking trade, up to December 1st, 1866.[29]

Doubtless the certainty of the early completion of the transcontinental railroad from the Missouri river to the Pacific Ocean, stopped the development of this southwest route for immigra-

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26. Letter in Salt Lake Daily *Telegraph,* 24th March, 1865; copied into Hist. of Brigham Young, *Ms.,* above date, p. 151. "At the mouth of this river (the Colorado) ships of the largest tonnage can find a good and safe harbor," says the chronicle here quoted, "where there is, at the present time, a new store ship, the *Victoria,* of seven hundred tons burthen, ready to receive and discharge freight." (*Id.*), pp. 134-5.

27. The Captain of the steamer *Esmeralda,* Thomas C. Trueworthy, made a visit to Salt Lake City, in March, 1865, and the Daily *Telegraph* "announced that he was prepared to enter into arrangements for bringing freight from the mouth of the river (Colorado) to this place [Salt Lake City]. The distance by land carriage from Callsville is about three hundred and ninety miles, over a good, natural road, over which goods can be handled at all seasons." Art. Copied into Hist. of Brigham Young, *Ms.,* 1865, p. 157.

28. See Editorial in the *Salt Lake Telegraph* of 27th November, 1865.

29. See *Salt Lake Daily Telegraph* of that date.

tion and freight *via* of Utah's southern settlements and the Colorado river.

The building of Call's Landing on the Colorado, led to what is known as the "Muddy Mission," in 1865. This was the establishment of three settlements on the lower tributary of the Rio Virgin called Muddy creek. The settlement was made by people from Utah under the presidency of Thomas S. Smith, and others who followed somewhat later. Early in January a settlement was made at the mouth of the Muddy, and called St. Thomas, distant from the junction of the Rio Virgin with the Colorado about twenty-five miles, and from St. George about seventy miles. Two other settlements were made near the upper end of the valley *viz,* Overton and St. Joseph, distant from St. Thomas eight and ten miles respectively.[30] Ditches were made and irrigation carried on for several years, but through dissatisfaction of the settlers caused by the unusually hard conditions of settlement, and the uncertainty as to whether the Muddy valley was part of Nevada or part of Utah, (in the event of the settlements being in Nevada the taxation would be excessive) the enterprise was abandoned early in 1871, and the settlements founded left to lapse into ruins. Some years later, however, the work of settlement was renewed and the little valley now has three towns, though the name of St. Joseph was changed first to "Logan," and later to "Moapa." The names of the other settlements of the first mission period survive, St. Thomas and Overton.[31]

The settlement of Bear Lake valley was in marked contrast with the settlement of the Rio Virgin valley, and more quietly and gradually accomplished. In the Rio Virgin valley was a semi-tropical climate, a sandy soil, streams all but uncontrollable and of shifting channels. In Bear Lake there was a well nigh semi-arctic climate, both early and late frosts to render uncertain the planting and maturing of crops. But there was a placid, beautiful, mountain-rimmed lake, of great depth, fed by numerous local mountain streams and the overflow of Bear river; and rivaling in beauty some of the noted highland lakes

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30. All now in Lincoln county, Nevada.

31. See Elwood Mead's Government Report on Irrigation in Utah, p. 213.

of Scotland and of Switzerland.[32] There was a broad valley, a rich soil, extensive stock ranges, and an abundance of timber. This valley was explored by Charles C. Rich, of the council of the Twelve Apostles, in the fall of 1863; and upon his favorable report, it was decided to settle the valley. This was begun early in 1864, the settlements being formed on the west side of the lake, Paris and St. Charles, the latter, being named after the pioneer in charge of the movement, Charles C. Rich. From these two settlements others up and down the Lake shore were founded, until the valley become well occupied.[33] From these Bear Lake settlements others were gradually extended both into Wyoming and into other parts of southeastern Idaho. In time other settlements of Utah learned of the wonderful stock raising and agricultural opportunities in western Wyoming and in the Snake river valley in Idaho, until now, 1914, there is a Latter day population of 9,945 in Wyoming; and 62,766 in the state of Idaho.[34] The Utah legislature in January, 1864, gave the Utah Bear Lake region a county organization under the title of Richland county. It comprised all that part of Cache county lying east of the summit of the range of mountains dividing the waters of Cache valley from Bear Lake valley.[35] Its northern limits for some time, were not very definitely known. It was supposed that St. Charles was within the boundaries of Utah, and for a time that place was the county seat of Richland county. In 1868 the Utah legislature changed the name from Richland to Rich county,[36] and the town of Randolph, on the Bear river, be-

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32. "Bear Lake, on the northern boundary line [i. e. of Utah] is a beautiful azure sheet of water, twenty-five miles long and six wide. The rugged mountains on the eastern side of the lake are magnificent, and look the very counterpart of the towering peaks of Savoy that environ the blue waters of the Lake of Geneva. No tourist in Europe ever gazed upon a prettier mountain country than that of northern Utah, between Bear Lake and the Pacific Railroad." (Stenhouse in "Rocky Mountain Saints," p. 672—*note.*)

33. The Utah-Idaho line passes east and west about mid-way of the lake, being the 42nd degree of north latitude. The other principal settlements of the Bear Lake Valley, besides Paris and St. Charles, are, in Idaho: Fishhaven, Bloomington, Liberty, Bern, Sharon, the present considerable railroad town of Montpiler, Georgetown, Bennington, Wardboro, Dingle; in Utah: Garden City and Lake Town. The Bear Lake Valley opens into a stretch of the beautiful Bear river valley on the north.

34. Report of the presiding Bishop's Office, for Dec. 31st, 1913.

35. See Act of Legislature in *Deseret News* of March 9th, 1864.

36. Acts of Utah Legislature, 1868, p. 1.

came the county seat. Rich county was also named in honor of Charles C. Rich.[37]

Within this period two buildings that have become world-famed were erected, the Salt Lake theatre and the "New" or "Big" Tabernacle. The former was begun on the 1st of July, 1861, and completed, at least for temporary use, on March 5th, 1862.[38] The day following it was dedicated, at which Presidents Brigham Young, H. C. Kimball, Daniel H. Wells, and Elder John Taylor officiated. President Young in closing his remarks said, "that the plan of the building was designed by Brother William H. Folsome, and presented to him, and he accepted it.[39] "Whatever credit it (the building) suggested, it was due there," that is to Mr. Folsome.[40] The theatre was opened by dramatic per-

37. Charles C. Rich, one of Utah's most prominent pioneers, was worthy of these honors—that a city and a county should be named for him. A biographical note of Elder Rich will be found in Chapter XXX of this History. For a number of sessions Mr. Rich represented Cache and Rich counties in the council of the Utah legislature, the two counties forming one council district; and as the legislature usually met in the winter season, the journey over the mountains from Bear Lake valley had to be made on snow shoes. In like manner the mail had to be carried. "When others would shrink from the dangerous undertaking of traversing the mountains at such a season, when storms prevailed," says a biographical sketch of him, "Brother Rich would set out. His wonderful strength and great powers of endurance, of which he never seemed to know the limit, and his almost intuitive knowledge of the country, always enabled him to go through, though in doing so he sometimes bore fatigue enough to kill an ordinary man. He made many of these hazardous journeys over the mountains; indeed for a number of years that was his usual mode of traveling when going to Salt Lake City to attend the sessions of the legislature, or returning from the same." (Jensen's L. D. S. Biographical Encyclopedia—1901—p. 103.)

38. It stands on the corner of State and First South streets facing south. It is 80 by 144 feet, and is 40 feet high from the water-table to the square of the building. The roof is self-supporting and "hipped" all round, with a promenade on top 40 by 90 feet. The entrance on the south had an opening of 32 by 20 feet deep, supported by two Grecian Doric columns. The exterior of the building is Grecian Doric. The auditory had parquette and four circles—60 feet on the outer circle and 37 feet on the inner, and covered with circular dome or in bell form. In the interior—the stage has an opening at drop curtain of 62 feet deep front by 28 feet high, shows 27 feet on flats and 62 feet deep from foot lights—10 feet proscenium, and 40 feet high from stage floor to ceiling." Such was the description of the theatre at the time it was completed, given by the architect, Mr. Fulsom. (Copied into Hist. of Brigham Young, *Ms.*, 1862, p. 414.)

39. Hist. of Brigham Young, *Ms.*, 1862, 372.

40. *Deseret News* of March 12th, 1862, where the dedicatory services are given in detail. Mr. Samuel Bowles, Editor of the Springfield (Mass.) *Republican*, having visited the Salt Lake theatre in company with Schuyler Colfax, at the time Speaker of the U. S. House of Representatives (1865), and later Vice-President of the United States, thus wrote of it in his book "Across the Continent"—1866: "The building is itself a rare triumph of art and enterprise. No Eastern city of one hundred thousand inhabitants—remember Salt Lake City has less than twenty thousand—possesses so fine a theatrical structure. It ranks, alike in capacity and elegance of structure and finish, along with the opera-houses and academies of music of Boston, New York, Philadelphia, Chicago, and Cincinnati." (Page 103)

formances on the 8th of March, the plays rendered by the "Deseret Dramatic Association," whose general manager was Hiram B. Clawson, and the stage manager John T. Caine—afterwards Utah's delegate to Congress—were the "Pride of the Market," and "State Secrets."[41] From that time until now, the Salt Lake theatre has been in uninterrupted commission. It is greatly beloved by all the people of Salt Lake City and of Utah, both on account of its historical associations, the credit it has brought to the community, and as the premier playhouse of the city; and it is equally beloved and praised by all the prominent actors of our country who have given performances in it.

So much is here said in respect of this "temple of amusement," because its ownership by the earthly head of the Church, Brigham Young, and the patronage and favor shown to it by other Church leaders, represents a departure from orthodox Christian policy which has been several times noted in these pages, namely, the permission by the Church of the Latter-day Saints of wholesome recreation and amusement—recognizing such recreations as a great human need. That such enjoyment of recreation was not intended to go beyond the limits of innocence and wholesomeness, in connection with the Salt Lake theatre, may be gathered from the services attending upon its dedication. "And wilt thou, O Lord, preserve for ever this house pure and holy for the habitation of thy people," said Daniel H. Wells in his dedicatory prayer. "Suffer no evil or wicked influences to predominate or prevail within these walls," he continued; "neither disorder, drunkenness, debauchery or licentiousness of any sort or kind, but rather than this, sooner than it should pass into the hands or control of the wicked, the ungodly, let it utterly perish and crumble to atoms; let it be as though it had not been, an utter waste, each and every part returning unto its native elements; but may order, virtue, cleanliness, sobriety, and every excellence retain and hold fast possession herein, and the

41. Whiteny's Hist. of Utah, Vol. II, pp. 32-35. "During the theatre's first season," says Mr. Whitney, "home talent held the boards exclusively, but after that there began to arise upon its horizon dramatic stars from abroad; some of them of the first magnitude. Among the earliest stellar attractions may be mentioned the stately tragedian, Thomas A. Lyne, the versatile Irwins, the polished Pauncefort, and the magnificent Julia Dean Hayne.

righteous control and possess it, and 'holiness unto the Lord' forever be inscribed therein."[42]

In the synopsis given of President Young's speech, on the same occasion, he is represented as having said:

"Brother Wells had prayed that the building might crumble to the dust and pass away as if it had never been, sooner than it should fall into the hands of the wicked or be corrupted and polluted; and to that he said amen. * * * Every pure enjoyment was from heaven and was for the Saints, and when they came together with pure spirits and with faith that they could pray for the actors and actresses, they would be benefited and refreshed in their entertainments; and those on the stage should ever be as humble and just as if they were on missions preaching the gospel. No impure thoughts should be inspired there, nor no impure words expressed. Truth and virtue must abound and characterize every person engaged on that stage, or they should be immediately ejected from the building. No person—be he actor, musician, employee or any other person—would be permitted to bring liquor into that edifice, and the police would protect them from the inebriate and the contamination of the filthy breath of the poor loafer."[43]

The other building, the "New" or "Big" tabernacle, now simply "The Tabernacle," because the descriptive terms used to distinguish it from the tabernacle which preceded it are no longer necessary, the former building not now existing—was begun in 1864, and completed by October, 1867. Though it may not be regarded as a handsome structure it is an unique one, and worthy of notice here since the fame of it has gone out into all the world, through reports of it by the thousands of tourists who visit it annually. The following may be said to be an official description:

"The Tabernacle is an immense auditorium, elliptic in shape, and seats 8,000 people. It is 250 feet long by 150 feet wide, and 80 feet in height. This self-supporting, wooden roof is a remarkable work of engineering. It rests upon pillars or buttresses of red sandstone which stand 10 to 12 feet apart in the whole circumference of the building. The pillars support

42. *Deseret News*, March 12, 1862.
43. *Ibid.*

wooden arches, 10 feet in thickness and spanning 150 feet. These arches of a lattice-truss construction, are put together with wooden pins, there being no nails or iron of any kind used in the frame work. The building was erected from *1865* to *1867*. This being before the railroad reached Utah, all the imported material used in the construction had to be hauled with ox teams from the Missouri river. It was for this reason that wooden pins were used in place of heavy nails. The roof now has a metallic covering, which a few years ago replaced the wooden shingles. "The original cost of this building was about $300,000, exclusive of the cost of the organ."[44] . . .

This unique structure was so far completed by October, 1867, that the semi-annual conference was then held in it. But the present ample gallery extending five-eighths of the way round the building was not put in until three years later—April, 1870; and the building was not formally dedicated as a place of worship until the October conference of 1875, Elder John Taylor offering the dedicatory prayer.[44½]

In the west end of the tabernacle is the "Great Organ," equally as famous and more talked about than the tabernacle itself. It was built originally by Utah mechanics under the direction of Joseph H. Ridges and almost entirely of Utah materials. It was completed by Mr. Ridges in 1869, though a number of changes have since been made. The following is the description of the organ published by the temple bureau of information:

"The front towers have an altitude of 48 feet, and the dimensions of the organ are 30x33 feet; it has 110 stops and accessories, and contains a total of over 5,000 pipes, ranging in length from one-fourth inch to 32 feet. It comprises five complete organs—solo, swell, great, choir and pedal; in other words, four keyboards in addition to the pedals. It is capable of thousand upon thousands of tonal varieties. The different varieties of tone embodied in this noble instrument represent the instruments of an orchestra, military band, and choir, as well as the deep and sonorous stops for which the organ is famed. There is no color, shade or tint of tone that cannot be produced upon it. The [present] action is the Kimball duplex pneumatic. The

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44. Utah, its people, etc., published by Temple Block Bureau of Information.

44½. See *Deseret News* of 13th Oct., 1875. The dedicatory prayer is published *verbatim* in the *News* of the 20th of Oct., same years.

organ is blown by a 10-horse power electric motor, and two gangs of feeders furnish 5,000 cubic feet of air a minute when it is being played full.''[45]

Another item of interest in the matter of public buildings during this period is the fact that in the summer of 1862 the foundations of the Salt Lake temple, owing to some defect in their structure, were taken out and relaid.[46] Considering the fact that the foundation was 16 feet deep, and 16 feet broad; and that the building is 186½ feet by 99 feet—was no small undertaking; and nine years had been occupied in laying it. President Young said he expected this temple to stand through the millennium, and the brethren to go in and give the endowments to the people; ''and this'' he added, ''is the reason why I am having the foundation of the temple taken up.'' President Young also said on that occasion: ''I do not want to quite finish this temple, for there will not be any temple finished until the one is finished in Jackson county, Missouri, pointed out by Joseph Smith.'' President Young also said: ''Right west of the temple, in a line between the north and south gates, we shall build a tower and put a bell in it. We shall build it as high as we please. Then west of the tower we will build a tabernacle to hold some 15,000 people. The tower will stand so as to have a road each side of it, one between the tower and the temple, and one between the tower and the tabernacle. This plan was shown to me in a vision when I first came onto the ground''—meaning the temple square, where these remarks were made.[47]

The factions that arose soon after the martyrdom of the first prophet of the New Dispensation, Joseph Smith, have already been noted. Another, and now (1914) the only one still existing took its rise at Amboy, Illinois, April 6th, 1860. This movement which culminated on this date by accepting Joseph Smith, the

45. "Utah, Its People, Etc.," printed by Bureau of Information, pp. 28-29-30 Mr. Ridges, the builder of the organ, lived to great age, lacking only one month of 88 years. He died on the 7th of March, 1914.

46. The stones "were not laid solid, but were laid on chinky, small stones," said President Young who very severely reproved the superintendent, A. H. Raleigh, for this defective work. (See Wilford Woodruff's Journal, entry date of June 1st, 1862.)

47. See Hist. of Brigham Young *Ms.*, 1862, pp. 779-80; also Woodruff's Journal, date of Aug. 23, 1862. Also this History, Chapter LXXIII, for account of locating the Temple site.

son of the first Prophet and President of the Church, as the President of a "reorganized church" of "Latter-day Saints," had its origin among such characters as William Smith, the reprobate brother of the first Prophet and President; William Marks, the deposed president of the Nauvoo stake of Zion; Jason W. Briggs, a disciple and follower of William Smith; and Zenas H. Gurley, a disciple and follower of James J. Strang. These men accepted the principle of "lenial descent" applied to the presidency of the Church, as taught by William Smith, by which it was held that the oldest son of Joseph Smith, the first Prophet, should by right of lineage succeed to the presidency of the Church. During the years from 1850 to 1853 this subject was agitated in meetings and conferences appointed by these men in Wisconsin, Illinois, and Michigan. Finally in April, 1853, something of an organization was effected under the authority of a "revelation," alleged to have been received through one H. H. Deam, on the 20th of March previous. Seven "apostles"—a majority of an intended "twelve" were "ordained."[48] It was also voted that a "stake of Zion" be organized in the town of Argyle, LaFayette county, Wisconsin.[49] A number of "seventies" were also "ordained."

In 1856, the "reorganized church" sent to the predicted head of it, the word of the Lord, urging him to come and take his place. The document was signed by J. W. Briggs, "representative president of the church and the priesthood in Zarahemla." *Messrs.* Briggs and Gurley were appointed a committee to present this message to Mr. Smith, which they did at the latter's home near Nauvoo. According to Mr. Smith's own account of this visit, these messengers did not meet with a cordial reception; and when Mr. Briggs vehemently urged the matter upon him, and "announced the culmination of the message in tones of thunder, and almost dictatorially" urged him to accept the message and do as directed therein, or reject it at his peril, Joseph Smith says he met this "vehemence indignantly, and almost turned these messengers out of doors."[50]

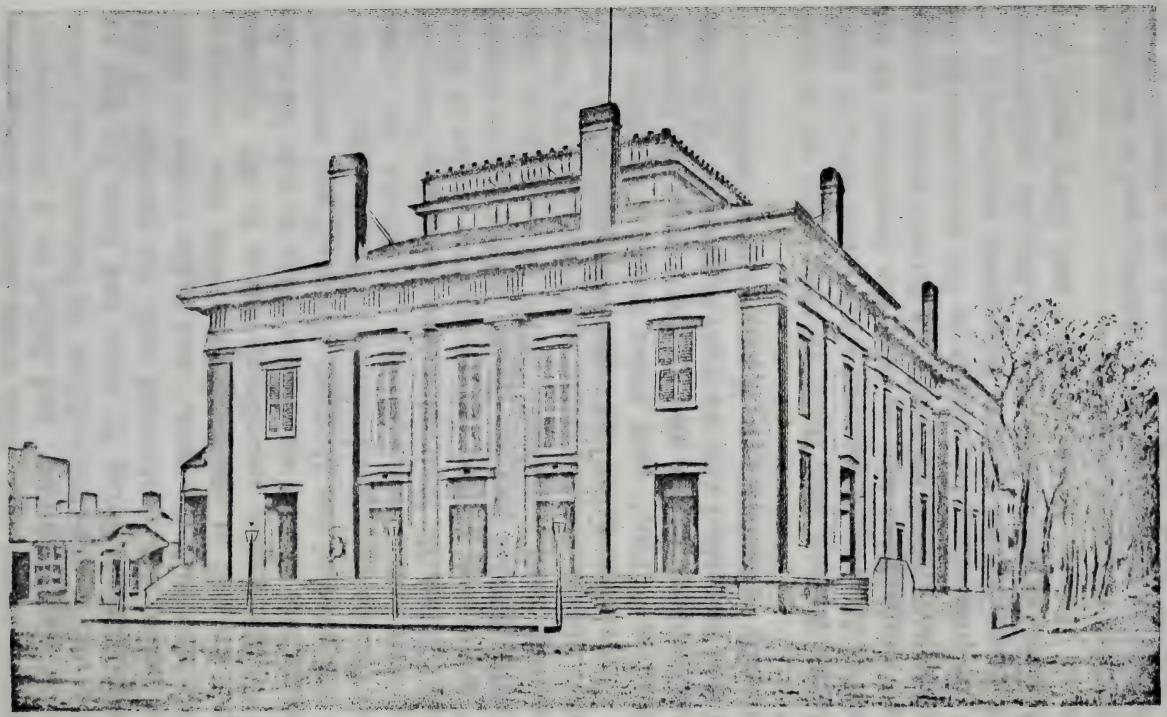
48. The men selected were Zenos H. (Father) Gurley, Henry H. Deam, Jason N. Briggs, Daniel B. Razy, John Cunningham, George White, and Reuben Newkirk.

49. William Cline, Cyrus Newkirk, and Isaac Butterfield constituted the presidency.

50. "Life of Joseph the Prophet," Tullidge Josephite edition, p. 767.

THE SALT LAKE THEATRE

The building was begun July, 1861, completed in March, 1862. It is the most noted play-house in the west, and is one of the notable historic buildings of Salt Lake City



Salt Lake Theater.

ENGRAVED BY H.E. HALL N.Y.

Here the matter rested until 1859, when Joseph Smith, who, according to his autobiography, had failed as a storekeeper, railroad contractor, in the study of law, in farming, and while making but a precarious living by labor and from his fees as justice of the peace, was confronted with the question of his connection with his "father's work," and in the winter of 1859, resolved to put himself in communication with the "reorganized church."[51] Mr. Smith accordingly wrote to Mr. William Marks, informing him that he was "soon going to take his father's place at the head of the Mormon Church," and requested him and others that he considered nearest to him, to come to Nauvoo and confer with him. Soon after this, Mr. Marks, one Israel L. Rogers, and William W. Blair, all interested in the "reorganized church" movement, visited the prospective leader at Nauvoo. It was finally decided that Mr. Smith and his mother should attend the ensuing April conference, called to assemble at Amboy, Lee county, Illinois, and the matter of Joseph Smith's Presidency of the Church was to be laid before the conference and a decision arrived at: "For," said Elder Marks, "we have had enough of man-made prophets, and we don't want any more of that sort. If God has called you, we want to know it. If He has, the church is ready to sustain you; if not, we want nothing to do with you."[52]

Messrs. Marks, Rogers, and Blair, in 1860, seem not to have been as urgent as *Messrs.* Briggs and Gurley had been, in 1856; the latter had commanded him to take the presidency of the church, or refuse to do so at his peril; the former merely agreed to see about, by presenting the matter to the conference of the Church. Mr. Smith affects to have been made indignant at the urgency of *Messrs.* Briggs and Gurley, in 1856; the coldness and independence of *Messrs.* Marks, Rogers, and Blair must have been a still greater source of annoyance.

Mr. Smith went to the conference at Amboy, and in the afternoon of the 6th of April, 1860, delivered an address, at the conclusion of which it was moved that he be received as a "prophet,"—the successor of his father. The motion was car-

51. For the above facts see Smith's autobiography in Tullidge's "Life of Joseph," Josephite edition, pp. 743-773.
52. Tullidge's "Life of Joseph," Josephite edition, p. 767.

ried by a unanimous vote; after which Mr. Gurley, who, assisted by Mr. William Marks presided at the conference, arose and said: "Brother Joseph, I present this church to you, in the name of Jesus Christ." And, of course, Mr. Smith accepted it. The number in attendance at the Amboy conference was, according to Mr. Smith himself, one hundred and fifty; and the entire organization at that time (1860) numbered but three hundred.[53]

Following Mr. Smith's acceptance of the church at the hands of Mr. Gurley, he was ordained to the office of "president of the high priesthood and president of the church," by William Marks, Zenos H. Gurley, Samuel Powers, and W. W. Blair. Mr. Marks was president of the Nauvoo Stake of Zion at the death of the Prophet, afterwards deposed, and the other three gentleman were "apostles" in the "reorganized church."[54]

Such in brief is the history of the organization of what is generally called the "Josephite Church," to its founders, however, the "Re-Organized Church of Jesus Christ of Latter-day Saints."

The head of the new organization claimed his authority as president of the "Reorganized Church," (1), by virtue of lineal descent, holding that the office of president of the High Priesthood, carrying with it the presidency of the whole Church descends from father to son; and, (2), by virtue of an alleged ordination to the office of "president of the church," and successor of his father, by the first prophet of the New Dispensation.

Of these claims it is sufficient to say, first, that the office of president of the High Priesthood is no where, in the revelations given in the new dispensation of the gospel, or in ancient scripture, declared to descend from father to son by lineage. Only two offices in the Church descend by lineage, these are the office of

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53. Plaintiff's Abstract of Evidence in the Jackson county Temple Lot Suit, p. 39; also "Succession in the Presidency of the Church" (Roberts), second edition, p. 76.

54. "The Successor" ("Josephite" Pamphlet), pp. 10, 11, also *The Saints Herald*, Vol. XXXIX, No. 24, p. 375. The History above given is condensed from "Josephite" sources. They have written the annals which this writer has merely condensed into the statement of the text.

patriarch,[55] and the office of bishop.[56] The fact that these two offices of the priesthood are named, and are the only ones named as being intended to pass by lineage from father to son, excludes the idea of any other offices in the Church descending by lineage. Second, the claim of Mr. Smith to ordination by the first Prophet, to be his successor in the presidency of the church rests upon no clear statement of fact. Of it Mr. Smith himself seems to have no clear or definite conception, and the whole fact and theory of the claim rests upon very confusing and very questionable authority.[57]

President Young, when he heard of the organization effected, by Joseph Smith and his associates, said: "It would attract the attention of the people and the statemen, and lead them to think that it might be the overthrow of Utah, and would perhaps cause the statesmen to slacken their efforts to put Mormonism down."[58] Strangely enough, as we shall see later, the "Reorganization" movement at least attracted the attention of some leading statesmen and they hoped that it would have the effect of breaking down the power of Brigham Young and Utah Mormonism. Later, when George Q. Cannon was giving an account to President Young of the "new organization under Joseph Smith, the son of the Prophet, President Young said that the 'boys' had thereby got into a canoe and put to sea, and that there would be a chance to pick them up some time."[59]

Two noted Utah Indian chiefs died during this period, Ara-

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55. Doc. and Cov., sec. cvii; 39-40.

56. *Ibid,* sec. lxviii; 14-21. No man has a legal right to the office of bishop, to hold the keys of this priesthood, except he be a literal descendant and the first born of Aaron. "But as a High Priest of the Melchisedek Priesthood has authority to officiate in all the the lesser offices, he may officiate when no literal descendant of Aaron can be found."

57. The question of both these claims, lineal descent, and Joseph Smith's rights by virtue of an ordination when a boy, by his father, are considered in great detail in this writer's work on "Succession in the Presidency of the Church." second edition—1900—Subdivision VI, pp. 50 to 87; and Subdivision VII, pp. 88-96. The right and authority of the Twelve Apostles to Exercise the functions of Presidency of the Church at the passing of the President of the Church for any cause, until the First Presidency is reorganized; also the regularity and legality of Brigham Young's succession to the Presidency is maintained in the above work. Other works on this subject will be found in "Priesthood and Presidency; Claims of the 'Josephite' or 'Reorganized' Church" Examined and Compared with Reason and Revelation, by Charles W. Penrose, 1898; and in "Origin of the Re-organized Church, and the Question of Succession," by Elder Joseph F. Smith, Jr., 1909.

58. Hist. of Brigham Young, *Ms.*, entry for May 18th, 1860, p. 134. The above remark was made in the Historian office to Elder Wilford Woodruff.

59. Hist. of Brigham Young, *Ms.*, entry for 15th Aug., 1860, p. 260.

peen and Peteetneet. Arapeen died on the 4th of December, bered as the brother of Walker, and his successor in the chief-1860; about sixty miles south of Manti, while returning from a visit to the Navajo people in New Mexico. He will be remem-tainship of the Ute Indians. He was a member of the Church and had been ordained to the priesthood. It was he who said that the words of President Brigham Young were good; "they entered his ears, sank into his heart, and stayed there." He accompanied the President on his trip to Limhi on the Salmon River in the spring—April and May—of 1857. Later he submitted his war plans against the "Mericats," as we have seen, to Brigham Young who counseled peace, which counsel, Chief Arapeen followed. "He died with good feelings towards the whites in this part of the Territory [i. e. Sanpete county and the southern part of the Territory generally] for their hospitality to him and his people," said the *Deseret News* correspondent in giving the account of his death.

He requested that no person should be killed at the time of his death. His tribe, however, could not entirely abandon the custom of their race, and while no member of the chief's family or tribe was killed to accompany him in his journey into the "spirit land," yet four of his horses and five head of his cattle were killed for that purpose. His brother, Sanpitch, succeeded in the chieftainship of the tribe and expressed his desire "to be at peace with all."[60]

About a year later, *viz* 23rd of December, 1861, Peteetneet a local Indian chief, ranging mainly about Utah Lake valley died near Fort Crittenden. In his case no cattle or horses were killed, but by the chief's express orders his wife was killed. She was brained with an ax, a squaw being the executioner. The chief was buried, after the local manner of Indian sepulture, on the mountain side and his wife in the valley below him.[61]

Other noted deaths of the period were James Brown, Captain of Company "C." of the Mormon battalion; and David

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60. Geo. Snow's Report of Arapeen's death, *Deseret News*, Dec. 19, 1860. Chief Sanpitch of the Sanpete Utes must not be confounded with the chief of the same name among the northern tribes, and who was present at the battle with Cannor's forces on Bear River.

61. *Deseret News* of Jan. 1st, 1862.

Pettigrew, also of the battalion, Company "E." The former purchased the Goodyear claim at the mouth of Weber Canon, where the city of Ogden was founded. It will be remembered that the place for some years was called "Brownsville." The worthy pioneer died at Ogden on September 30th, 1863. David Pettigrew it will be recalled was "Father Pettigrew," the "patriarch" of the Mormon battalion in its march to the Pacific, to whom the members of that command so often turned in their trials for sympathy and advice, nor did they ever fail to receive them. He died on the 30th of December, 1863, at Salt Lake City.

Within this period two of the original members of the first council of the Twelve Apostles, died. These were Thomas B. Marsh and Luke S. Johnston. Thomas B. Marsh was the president of the council at the time of its organization in 1835. For apostacy he was excommunicated at Quincy, Illinois, in 1829. He returned a penitent and was received into the Church by renewal of his covenants by baptism, in 1857, at Florence,—once Winter Quarters—Nebraska. The same year he crossed the plains to Utah. He acknowledged his faults and expressed a desire to live with the Latter-day Saints. His health was broken, his mental faculties impaired; he lived in obscurity and the date of his death is not known.

Luke S. Johnson, also lost his standing in the council of the apostles. He was excommunicated at Far West, Missouri, in 1838. He never became bitter in his spirit, however, and in 1846, at Nauvoo, was received again into the Church upon a renewal of his covenants by baptism. He was one of the original band of pioneers that entered Salt Lake valley. In 1858 he settled at St. John, in Tooele county, and was ordained a bishop to preside over that settlement. "Since his return to the Church he has lived up to the truth to the best of his ability," says the entry which records his death in the History of Brigham Young, "and he died in the faith." His death occurred on the 9th of December, 1861.[62]

The last several years of the period, whose miscellaneous events have been considered in this and the preceding chapter, notwithstanding some annoyances, was a time of marked pros-

62. Hist. Brigham Young, *Ms.*, 1861, p. 521.

perity and development for the Latter-day Saints in Utah. There were periods of crop shortage, especially in 1859-60, by grasshoppers, and by drought and frost in 1864;[63] but the people were now scattered over so large an area of country that if there was partial destruction of their crops in some valleys, others escaped wholly or in part, and the appearance of the ravagers no longer had the terror for the people they once inspired.

There was a somewhat regular and large immigration of converts both from European countries and from the war-torn states of the east and the south, which brought to the community a sense of growth, in addition to the natural increase from the birth rate. The years were filled with halcyon days for Brigham Young and his associates in the Church leadership. These and the years following, up to the time of his death,

63. The havoc brought, * * * by crickets and grasshoppers among the growing crops of the first settlers," says Bancroft, "and again in 1855-6, was repeated at brief intervals in later years. Seldom was a harvest gathered in Utah that was not more or less injured by this scourge." (Bancroft's Hist. of Utah, p. 724.) In 1859 great injury was done to the crops in Juab county and elsewhere, (*Deseret News* of June 29, 1859). For damage in 1860 see *Deseret News*, May 2, 1860. So great was the shortage from frost and drought in 1864, and such the fluctuation of gold and currency that a circular was issued calling a convention to fix the prices of wheat and other products of the soil, chiefly for the purpose of preventing the sale of wheat for feeding it to stock. And before selling any wheat at all, the producers were pledged by the convention to reserve at least a year's supply for themselves and families and dependents, and in case they had not enough, they would endeavor to secure it as soon as possible (*Deseret News* of July 20th, 1864). The following is the list of the articles and prices, in gold, at which they were to be held in the market according to the action of the convention, held on August the 8th.

Flour	$12 00	per 100 lbs.
Wheat	5 00	per bushel
Corn	4 00	"
Barley	4 00	"
Oats	3 00	"
Potatoes	2 00	"
Beets and Carrots	1 00	"
Onions	4 00	"
Beans	10 00	"
Peas	6 00	"
Butter	60	per pound
Cheese	50	"
Eggs	40	per dozen
Beef on foot	10	per pound
Mutton	12½	"
Pork	30	"
Hay	20 00	per ton
Freighting per 100 miles	2 00	for 100 lbs.
Dried Apples and Peaches	75	per pound

(The Minutes of the Convention will be found in *Deseret News* for Aug. 10th, pp. 360 and 366.)

were the times when President Young accompanied by a large number of other prominent Church leaders made his frequent and somewhat celebrated visits to the settlements throughout the Territory, for the purpose of giving religious instruction and practical advice and direction in the settlement and development of the valleys the Latter-day Saints inhabited. Everywhere these visits were a source of delight and of profit to the people, and tended to the more rapid development of the country, in the improvement of social and civic and general community-life conditions. Blessed indeed were the people whose leaders so ministered into them in a spirit of large unselfishness; blessed were the leaders whose people were so willing to respond to their instruction, and guidance. On these two things rested the marked wellfare of the Latter-day Saints—their material prosperity, and their moral and spiritual progress.

Historic Views and Reviews

The New York *Times* records the prices obtained for some notable examples of rare historic American autographs. These records, for convenience of our readers, we have alphabetically arranged under their respective authors.

JOHN QUINCY ADAMS, 1765-1848

A letter of John Quincy Adams referring to Alexander Hamilton's duel and to the secession principles of the Hartford Convention delegates sold for $50.

SAMUEL ADAMS, 1722-1803

A letter of Samuel Adams, Signer of the Declaration of Independence, to Elbridge Gerry, another Signer, went for $30.

BENEDICT ARNOLD, 1744-1801

A document signed by Benedict Arnold, dated Jan. 5, 1781, and addressed to the tradesmen of Richmond, Va., before he set fire to that town, was bought by Robert Goodall for $190.

CADWALADER COLDEN, 1688-1776

Mr. Smith paid $360 for the original autograph "Journal of Experiences During the American Revolution" by Cadwalader Colden.

SILAS DEANE, 1737-1789

James H. Manning, former Mayor of Albany, gave $70 for a six-page letter of Silas Deane, who with Franklin and Lee negotiated the treaty with France in 1778.

JOHN ELIOT, 1604-1690

Four holograph letters of John Eliot, the famous "Apostle to the Indians," brought the extraordinary sum of $2,695. They were owned by Charles E. Goodspeed, of Boston, and were among the rarest of American autographs. George D. Smith was the purchaser of all four, the under bidder being Dodd & Livingston.

So far as known, it was the first time a holograph letter of Eliot's had ever appeared in the public market. All the letters were written at Roxbury, Mass., and addressed to the Rev. Jonathan Haumer, a Nonconformist divine of Barnstable, Devonshire, England. Roxbury was the centre from which Eliot made his visits to the Indians. Each of the letters is long. One dated July 19, 1652, brought $675; another dated Oct. 7, 1652, $660; a third, dated Aug. 29, 1654, $680, and the fourth, dated Oct. 5, 1657, with two small holes damaging a few words, $680.

EUGENE FIELD, 1850-1895

Eugene Field's manuscript of his poem, "The Merciful Lad," brought $50.

BENJAMIN FRANKLIN, 1706-1790

A letter of Benjamin Franklin's dated Philadelphia, Jan. 9, 1748, sold for $25.

ROBERT FULTON, 1765-1815

Mr. Thompson obtained for $80 a slightly damaged holograph letter of Robert Fulton's dated Paris, July 3, 1799.

HORATIO GATES, 1728-1806

Joseph F. Sabin paid $40 for a letter written by Gen. Horatio Gates at Hillsboro, Dec. 25, 1780, to which he retired after the Battle of Camden.

ULYSEES S. GRANT, 1822-1885

F. W. Morris gave $100 for the cipher letter written by Gen. U. S. Grant to Secretary of War Stanton on Oct. 5, 1864, in re-

gard to Sherman's March to the Sea. Mr. Morris gave also $105 for another letter by Grant to President Lincoln, March 31, 1865.

ABRAHAM LINCOLN, 1809-1865

Two defective leaves from Abraham Lincoln's "sum book" went to Mr. Swift for $125.

COTTON MATHER, 1663-1728

Dodd & Livingston obtained a letter of Cotton Mather's, Feb. 1, 1716, for $95.

FRANKLIN PIERCE, 1804-1869

A document signed by President Franklin Pierce, Washington, Feb. 11, 1856, giving instructions to the commanding United States officer in Kansas, brought $36.

EDGAR ALLAN POE, 1809-1849

P. F. Madigan obtained for $315 a two-page quarto letter by Edgar Allan Poe, dated New York, Jan. 13, 1849, and addressed to John R. Thompson, editor of The Southern Literary Messenger of Richmond, Va. The letter, which is signed with the author's full name, was written the year of his death. In it he proposes to contribute to The Messenger five pages a month at $2 a page.

ISRAEL PUTNAM, 1718-1790

A time-stained letter of Gen. Israel Putnam, Jan. 6, 1777, brought $32.

SONS OF LIBERTY, NEW YORK

Mr. Smith paid $85 for an important Revolutionary document consisting of resolutions of the Association of the Sons of Liberty, New York, Nov. 29, 1773.

GEORGE WASHINGTON, 1732-1799

F. A. Thompson paid the highest price of the day, $325, for a fine holograph letter written by George Washington in Philadel-

phia on May 31, 1787, to Gen. Henry Knox. In it Washington announces his election as President of the Constitutional Convention.

George Lowell paid $250 for another fine Washington holograph letter dated Mount Vernon, Sept. 22, 1789, and addressed to Laurence Lewis, Washington's nephew, who married Martha Washington's granddaughter, Nellie Parke Custis. It was written only a few months before Washington's death.

C. Gerhardt & Co. gave $150 for a letter signed but not written by Washington, dated "Hdqrs., Robinson's House, Sept. 27, 1780," and written shortly after the discovery of Benedict Arnold's treason.

ANTHONY WAYNE, 1745-1796

A letter of "Mad Anthony" Wayne, Ticonderoga, Feb. 4, 1777, to Gen. Philip Schuyler, went for $40, and another letter from him to Gen. Washington brought $45.

WILLIAM WHIPPLE, JR., 1730-1785

A holograph letter of William Whipple, Signer of the Declaration of Independence, sold for $65.

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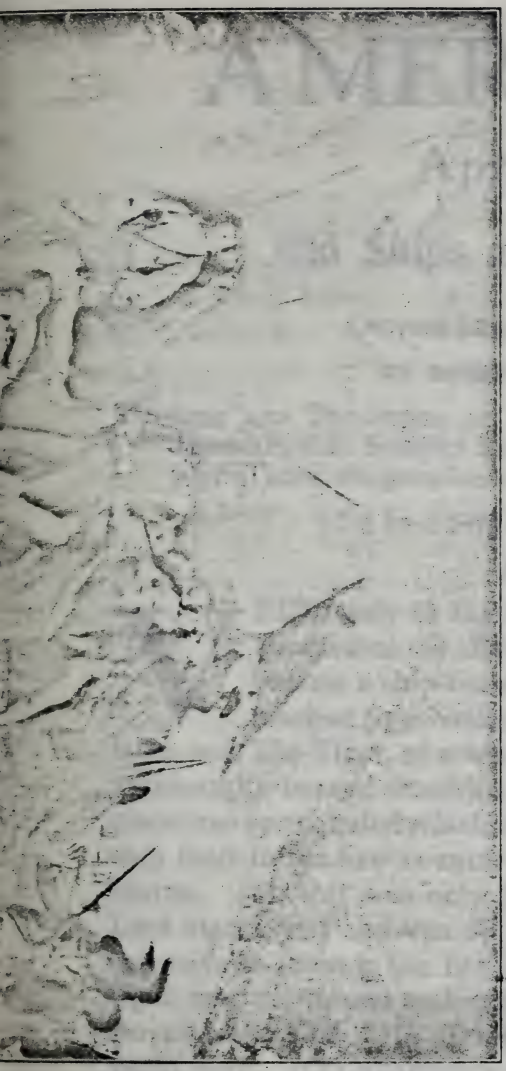

AMERICANA

April, 1914

Old Ships and Ship-building

On the Island of Manhattan

by hopper striker mott

Trustee and Treasurer of the New York Genealogical and Biographical Society and Editor of *The New York Genealogical and Biographical Record.*

[*To be Completed in Two Parts*]

Part I

VERY early in the life of the settlement the Island of Manhattan, as distinguished from Mashattan Island, became a ship-building centre. The first trading ships reached New Netherland in 1611 and, when, three years later, one, The Tiger, of a venture composed of three vessels, was accidentally burned shortly after her arrival, a ship to take her place was constructed which was the first of European workmanship built in the new country south of what is now the State of Maine. And this was only five years after the discovery. De Laet states that she was 38 feet keel, 44½ feet long and 11½ feet wide and that in her Block, the navigator, sailed through Hellegat into the Sound and explored all the places thereabout as far as Cape Cod. He afterwards returned home and left the yacht here. (O'Callaghan's *History of N. N. Vol. I.* 73). On Thursday, August 18th, 1616, Cornelis Henricxsn, skipper, appeared before the Assembly of the States General, on behalf of certain directors of New Netherland, petitioning for the privilege to trade exclusively in certain new countries which they had discovered, extending from 40 to 45 degrees between New France and Virginia, in a small yacht of about eight lasts, named "the Onrust." (Restless). This little vessel they had caused to be built in the aforesaid country where they employed the said

skipper in looking for new countries, havens, bays, rivers, etc. (*N. Y. Col. Mss., Holland Docs.,* Vol. 1:12).

From the letter of Domine Jonas Michaelius, the first pastor to Manhattan, dated 1628, we gather that more timber was cut by the early settlers than the few vessels could carry to the Fatherland, and thus came about the building of the second ship on the Island. Because of this superabundance it occurred to two Walloon ship-builders to utilize it in the colony. Director Minuit was won over to the scheme and encouraged it by pledging the funds of the Company for the work. Parties of men scoured the woods, even to the vicinity of Fort Orange, (Albany) encamping in the forests for weeks at a time, cutting timber for the great ship. As a result there was launched in the waters off the Island in 1630 a vessel larger than any boat that had heretofore been produced in the ship-yards of Holland or Zeeland; being of 1,200 tons burden according to some reports and 800 according to others. This was the "New Netherland." (*Memorial Hist.,* Vol. I:168).

The "New Netherland" was not only by far the largest that had ever been built in America but was probably one of the greatest merchant vessels at that time in the world. It was not until nearly two centuries afterward that the ship-wrights of Manhattan again began to build trading vessels which rivalled the mammoth proportions of this pioneer ship. John Mason in a letter, April 2nd, 1683, *London Docs.,* i:47; *N. Y. Col. Mss.,* iii:17, estimated its size from "600 tunns or thereabouts" to 800 tons. It was dispatched to Holland. DeVries, 96, speaks of the "New Netherland" as "the great ship that was built in New Netherland." DeLaet, 4, describes her as of 400 lasts, or 800 tons burden and as carrying 30 guns. The building of this ship "at an excessive outlay" was severely criticized by van der Donck as a part of the "bad management" of the West India Co. (*vertoogh van N. N.* in ii *N. Y. Hist. Soc. Colls. ii*: 289). The capital which would have been more wisely employed in bringing over people and importing cattle, was expended at Manhattan, "in building the ship 'New Netherland' at an excessive outlay, in erecting three expensive mills, in brick-making, tar-burning, ash-burning, salt-making and like operations." (*Brōdhead's Hist. N. Y.,* Vol. I:212).

One of the privileges granted by decree, May 24th, 1650, to those who were willing to repair to New Netherland was the liberty to cut, gratuitously, from the public forests, as much timber as they should require for the construction of houses and vessels. (*N. Y. Col. Mss. Hol. Docs.*, Vol. I:401).

In a letter from Samuel Maverick to Col. Richard Nicolls dated New York, July 5th, 1669, he mentions that "the Gouvernour with some Partners is building a ship of 120 tunn by Thomas Hall's house; she is well onward and may be finished in August." (*Ibid, London Docs.*, Vol. III:183). Hall was an Englishman who lived on the hill near present Beekman Street. In 1654 he purchased the property, and when he died in 1670 his widow sold it to Willem Beekman. The farm was of considerable size and there Hall introduced the culture of tobacco on the Island. (Valentine's *History, etc.*, 72). This ship was named the "Good Fame" of New York and "was launched 14 days since and is a very stronge and handsome vessell, but costly." (Letter from Maverick to Nicolls, Oct. 15, 1669, *N. Y. Col. Mss., London Docs.*, Vol. III:185).

By degrees quite a ship-building colony settled in the metropolis. An examination of the Court Minutes reveals the names of the following persons who were denominated ship-carpenters, e. g.: Pieter Harmensen and Jan Adriansen 1655; Jan Hutsitson, an Englishman, who was admitted to the small Burgher right May 3, 1657; "Uncle"Dirck Wigherzen, 1660; Pieter Jansen, 1661; Dirck Jansen, 1662, and Samuel Pell, 1673. (*Court Mins. N. A.*, Vols. I.372; V. 272; VII.158; III.209; 405; IV.157; VII.26). On April 16, 1678, Gov. Andros is authority for the statement that there were then five small ships and a ketch belonging to New York, four of which were built there. (*N. Y. Col. Mss., London Docs.*, Vol. III:261).

Clement Elsworth made application in 1699 for a grant of land fronting the East River, "near the ground of Mr. Beekman's" as a location for a ship building plant. The petition was read in the Common Council, Oct. 16 of that year and referred to Aldermen Brandt Schuyler and Isaac de Riemer and Assistant Samuel Bayard. On their unfavorable report the application was denied, Jan. 16, 1700, "the city not being willing to sell the same." (*Printed Mins. C. C.*, Vol. II:93, 98).

We get some additional names of local ship wrights from the correspondence of the Earl of Bellomont. In 1699 he undertook the sending of ship timber to England. In a letter to the Lords of Trade, dated Oct. 20, he notified them that "two honest Dutchmen" had reported that they had found a parcel of vast pines on one of the grants of land which Col. Fletcher had conveyed to the Rev. Godfrey Dellius, which were big enough for masts for the biggest ships in the world. In order to ascertain the truth of this story the Governor sent John Latham, "an able shipwright who learned his trade in one of the King's yards in England" to accompany Ryer Schermerhorn, one of the discoverers, to view the trees and also to survey all the woods in that part of the Province along the upper Hudson, the Mohawk and at Corlear's Lake where the largest grant lay, that it might be ascertained if the timber were fit for masts and the building of ships-of-war. This expedition was so successful that the Earl was able to report that pines of 11 and 12 feet were abundant, which could be floated down the rivers "to the ship's side that take them to England and in that way be the cheapest in the world." (*Col. Mss. London Docs.,* Vol. IV:589).

Latham assured the Earl that there were trees enough in the woods on the Mohack's River to furnish the navy these thousand years to come. As soon, however, as the intent of the quest was known, some of the people of Albany, Bellomont tells the Lords in a later communication, "began to practice with the Indians and persuade them that each of these giant pines was worth 50 beaver skins." He entered into an undertaking with Schermerhorn and Beekman, the two honest Dutchmen. (*Ibid,* 785).

The following year, 1700, we have a further letter from the Earl to the Lords in which he comments on the information received that the builders in the King's yards at Deptford and Woolwich had given "an ill character to the specimens of ship timber sent home from Piscataway in New Hampshire." Not having seen this timber he could not tell about its class, but is satisfied that if that which was good and fit for the purpose was selected no fault could be found. As to a load which was sent by him on the ship "Fortune" he ordered "all the Master Shipwrights in this town to survey" it. "Four or five of those who

subscribed to the report," adds the Earl, "served their time in the King's yards and Mr. Littlemore and Diggins are now Warrant Officers; the first is carpenter of the 'Advice' and the latter of the 'Newport;' all the carpenters that have subscribed, except Mr. John Latham, declared that it was as good as they ever saw in England." (*Ibid,* 710).

Perhaps the reason that Latham did not approve of the American lumber is explained by this quotation from the same letter: "I wish your Lord^{ps} would please to ask Capt. Morrice and his carpenter, Mr. Diggins, for a character of the timber behind on the wharfe in this town and they will tell your Lord^{ps} 'tis better than that which is put aboard 'the Fortune;' for it seems Mr. Latham shipp^{d} that timber which came first to hand and did not choose the best." The Earl added that Latham was "the shipwright of the best skill and experience here." (*Ibid.* 711, 12).

Let us quote Lord Cornbury to the Board, July 1, 1708: "All sorts of vessells are built well in this Place, but the vessells most usually built here are Brigantines and Sloops of both of which sorts there are several built every year in this place by Direction and for the use of the Merchants in Jamaica, Barbadoes and others of the Leeward Islands, besides those that are built for the use of the Merchants of this Place, which have been a pretty many of late, because our people have lost a great many Vessells this war, both going to and coming from the West Indies and I don't believe there are above six vessells belonging to the place but were built here." (*Ibid,* Vol. V:59).

The building centre has always been on the East River and with the exception of the ship yards of Rip van Dam on the North River in the rear of Trinity Church, and Rhinelander's yard off Chambers street (Map 1808), no other has been located on that waterway. Just when Rip van Dam started is problematical. Having been bred to the sea in Holland, on arrival here his early education naturally led him into shipbuilding. He formed partnership with James Mills and established a launching yard at the above location. In 1690 his name appears among the merchants of the city. It is pertinent to place this notice of him here for he was a member of the Council under Cornbury, and on the death of Gov. Montgomery in 1731, being the senior councilor, assumed the government of

the Province as President of the Council. He was superceded in this office in August, 1732, by the arrival of Gov. Cosby and died June 10, 1749. (*Ibid.*, Vol. VI:153).

Philip Hichborn epitomizes the above early period in these words: There were assembled in New York between 1685 and 1700 such a swarm of fighting sailor-men and such strong stimulus was given to the marine industries of ship building, rope making and putting up of sea-stores that only a few cities in Europe could compare in completeness of equipment with New York. (Appleton's *Cyclo. Amer. Biog.*, Vol. X:479).

During the administration of Robert Hunter, the Governor who arrived in July, 1710, William Walton purchased ground on the East River front and there began an extensive ship-yard enterprise at the present foot of Catharine Street. Its location is indicated on both the Ratzer maps. Famous for designing speed, says the *Memorial History, etc.*, were the vessels constructed there. His sons, Jacob and William, continued the business and at the death of the former William associated with himself his brother's children, under the firm name of William Walton & Co., one of whom, William Walton, Jr., married a daughter of James deLancey in 1757, and lived with his uncle in the fine residence on St. George's, afterwards Franklin Square. The Crugers were also large ship owners but, so far as we are aware, did not make a business of building vessels. They had an extensive dock near Whitehall, between Albany pier and Murray's wharf, as shown on these same maps, and were heavily engaged in the West India trade.

Lyne's survey of 1729 locates Hunt's shipyard at Whitehall and Dally's foot of Beekman street. Lying between that and Corlear's Hook are Walton's, French's, Wessel's, Vaness' and Bennet's yards.

Under date of Sept. 15, 1741, Lt.-Gov. Clarke recites to the Lords of Trade how on his arrival trade had reached "utmost destruction, occasioned by excess of party rage, in consequence of which ship building was almost wholly laid aside." In reporting what he had accomplished to better things he called on the Naval Officer and Collectors to testify how ship building and trade in general had gradually increased. But a few years later

George Clinton (1749) reported that the number of ships belonging to New York was 157, the tons registry 6,406, and navigated by 1,228 men of sea-employ. (*N. Y. Col. Mss. London Doct.*, Vol. VI:207, 511).

But one ship seems to have been built in New York in 1789. A vessel for the China trade was finished in Oct., 1788, 102 feet keel and 706 tons burden, at a cost of £14,000. On the 3rd of Oct., 1789, there were one hundred and seventeen vessels in the harbor, and during the year there entered the port 1,107 sea vessels, of which 770 were American, 308 British, 11 Spanish, 8 Portuguese, 5 French, 3 Dutch and 2 Swedish. The dollar, dime and cent were adopted in New York by an act passed Jan. 27, 1797. (*N. Y. City in 1789,* Thomas E. V. Smith, 105, 111).

Without mentioning names the Ratzer maps place the shipyards between Beekman Street slip and Corlear's Hook, as do likewise Kitchin's map of the city during the Revolution and Hill's plan of 1782.

The encroachments upon American commerce and the right of search and impressment caused the enactment of the embargo law of 1807 which forbid the export of American products, not only in our own but also in foreign bottoms. This annihilated our commerce. Its effect in three months was to bankrupt numbers of merchants. More than five hundred vessels lay idle at the docks of New York alone. In the spring of 1810 the Congress passed an act suspending the non-importation law for three months, with power to the President (Madison) to reestablish it against any nation which maintained obnoxious decrees against us. This non-intercourse act made an end to diplomatic endeavor and pointed directly to war.

At the breaking out of hostilities there were three large shipyards in the city, viz: Adam and Noah Brown at Houston Street; Christian Bergh, near Gouverneur Slip and Henry Eckford nearby the latter. Bergh built the "President" and Eckford the fleet on the great lakes. Commodore Chauncey's flag ship, the "Oneida" was also built by him. Eckford, in 1803, was in partnership with Edward Beebe and began building at the foot of Jefferson Street. This partnership ended in 1809. When the War of 1812-14 came on he had a well-appointed yard,

and after his return from his operations at the lakes he reopened this yard and built several vessels, among them the "Robert Fulton" in 1819, for Dunham & Co., for the trade between New York and Cuba, which made the first successful voyage by steam to New Orleans and Havana. He became Constructor at the Navy Yard in 1820 and modeled six ships-of-the-line while there, of which the frigate "Ohio," of 2,740 guns, was one of the finest of its time. On its completion he resigned. The Office of the Eckford Line was on the northwest corner of Wall and Water Streets, in the Tontine Coffee House. His yard from 1825-6 was foot of Stanton Street, where he built four 44 gun frigates for the South American navies.

In 1831, having constructed a sloop-of-war for the Turks, Eckford was led to visit Constantinople and there he died the following year.

Chauncey had been in charge of the New York Navy Yard, the original location of which, up to 1801, was at the foot of George (Market) Street, but was relieved in 1812 by Captain Samuel W. Evans.

Adam and Noah Brown built "the most formidable fighting ship," to quote her designer, Robert Fulton, "ever constructed," the first steam war vessel in any navy. Approved by Madison because of the unprotected position of our coasts the Congress on March 14, 1814, appropriated $220,000 to build the craft, which Fulton named the "Demologos," (Defender of the People), although history retains her name also as "Fulton the First," which designation the President favored. On Oct. 29 she was launched in the presence of cheering thousands. Of 2,475 tons burden, 156 feet over all, 56 feet beam and drawing 20 feet, she was indeed a mighty vessel. The Commission intrusted by Madison with her construction describes her as "resting on two keels, separated from end to end by a canal fifteen feet wide and sixty-six long. One section contains the caldrons of copper to prepare her steam. The vast cylinder of iron, with its piston, levers and wheels, occupies the other. The great water wheel revolves in the space between. She is propelled by her enginery alone. The main, or gun, deck supports her armament and is protected by bulwark four feet ten inches thick of solid timber.

This is pierced by port-holes to enable her 32-pounders to fire red-hot shot; her upper, or spar deck is plain."

She was also to be fitted with pumps and pipes through which large quantities of boiling water might be spouted upon the decks and into the ports of her adversary. Engine Co. No. 13 met on Sept. 22, 1814, "to take the sense of the Company as to their taking their turn in watching" this Frigate. She was then unfinished and on the stocks at the navy yard where, it was feared, the Tories or the enemy might burn her. Their services were unanimously offered. (Sheldon's *Vol. Fire Dept.* 307). In May, 1815, her machinery was tested and on July 4 a successful trip was made to the ocean and back. Not till Sept., however, was her armament completed and then war had long since ended. She became a receiving ship at the navy yard and was mysteriously blown up June 4, 1829. Twenty-six persons were killed. The explanation made was that old sailors, who disapproved of the invasion of steam, caused the explosion. And so closed in bloodshed the peaceful career of the world's first steam battleship.

The treaty of Ghent closed the contest and the increasing trade between America and Europe brought in the era of packet-ships. In 1816 the famous Black Ball Line to Liverpool was established by Isaac Wright, Benjamin Marshall and Jeremiah and Francis Thompson. Charles Henry Marshall later became chief owner. He was President of the Union League Club during the Civil War and a staunch supporter of the policies of Lincoln. The average time taken by the ships of this line outward was twenty-two days, and on the homeward voyage twenty-nine were consumed. In 1824 the line to Havre was started by Fox and Livingston. This employed twelve ships. Besides these the coastwise trade was facilitated by weekly lines to Savannah, Charleston, Mobile and New Orleans. Jonathan Goodhue, the Quaker merchant, whose country-seat was in Bloomingdale, was the principal owner of the Black Ball Line. Other lines were the Red Star and the Swallow-Tail, Fish and Grinnell being the proprietors of the latter. For an interesting account of the packet trade, including individual owners, *vide* Wilson's *New York Old and New,* Vol. I:312 *et seq.*

The name of Crown Point Road, imposed by the British on the extension of Grand Street, and called by the early and later maps the Road to Corlear's Hook, was long since relegated to oblivion and the name Grand Street had assumed sway. It was still a country road and the original way of access from the Bowery and the great east side to the ship yards. "In a group of a dozen blocks hereabouts," says Rush C. Hawkins, writing of the Hook and its denizens as of 1820, "were located the well-organized shops of many well-to-do mechanics and small traders, all dwelling together upon terms of mutual respect in peace and harmony. Their social intercourse was simple, without restraint and cordial. In sickness and ill fortune they were ardently helpful to each other, and in death all sympathized with the sorrows of the afflicted neighbor. To the looker-on this intercourse with each other appeared more like that of a country neighborhood than that which usually obtains in a section of a large city.

"This little community around the 'Hook' was composed of a distinctive, industrial middle class, descendants of English, Scotch and Irish Protestants, which was strongly marked by a new set of characteristics previously unknown outside of the Puritan class in New England. These New Yorkers had the sterling virtues of the Eastern first settlers without their sombre demeanor and religious intolerance. They were honest, industrious and proud of their respective occupations; and as mechanics of skill were never happier than when 'turning out an honest job' for a reasonable compensation."

It was at the Hook just south of Grand Street that the "baptizing ground" was located and here the boys of the section learned to swim. The Baptists and Methodists used the place at first and later it became a noted spot for immersions by the colored people.

On June 14, 1823, a fire broke out in Noah Brown's yard, afterward Brown and Bell's, by which several frames of ships on their stocks and Fire Engine No. 44 were destroyed. This fire, from its extent, was long remembered as "the ship-yard fire." (Haswell, 145). According to Sheldon's *Vol. Fire Dept.* 172, a fire, which started at 3 o'clock one Sunday morning in March,

1824, devastated the same yard, (bounded by Stanton, Houston and Goerck Streets and the river). Here were destroyed two steamboats nearly finished and two ships on the stocks, one of them under cover of the ship-house. An attempt was made to launch those on the ways but without success. *N. Y. Shipyards,* by Morrison states this fire occurred on March 14, 1825.

The Daily Advertiser, August 30, 1825, announced that the ship "Illinois," 430 tons, intended as one of the New Line of New Orleans packets and to be commanded by Capt. Robert Waterman, would be launched the following day from the yard of S. & F. Fickett. Haswell states (p. 237) that in 1828-9 there were ten shipyards where vessels of all descriptions were built, viz: David Brown's, Jacob Bell's, Christian Bergh's, Fickett & Thome's, Lawrence & Sneden's, Smith & Dimon's, Jabez Williams', Jacob A. Westervelt's (Mayor 1853-4), Webb & Allen's and S. & F. Fickett's, to which were to be added several ship carpenters, without yards, that repaired vessels, such as Henry Steers, Cornelius Poillon, etc. By this time there were twenty-four ships on the four Liverpool lines. The Swallow-Tail, which continued its service until 1876, was the last survivor of the great fleet whose days of arrival and departure were maintained with a regularity hardly exceeded in these days of steam. (*The Physical Evolution of New York City in a Hundred Years,* John Austin Stevens, reprint from the *Amer. Hist. Magazine,* 210).

The Courier and Enquirer, April 4, 1834, notified parties at interest to file claims against the late firm of Fyler, Diblee & Son with William W. Diblee at the Dry Dock. There were also for sale or to let the seventeen lots, formally occupied by the firm, on Avenue D, and 9th Street and likewise a lot on 10th Street next to the Dry Dock Bank.

From the *Sunday Morning News,* Dec. 18, 1836, this reading notice is taken: "Launch—A splendid new packet ship, called the 'Sheridan,' was launched yesterday from the yard of Messrs. Brown & Bell. She is a magnificent specimen of American ship building and is intended for the new line of Liverpool packets, under the command of Capt. J. G. Russell."

The Courier and Enquirer, of March 17, 1838, advertised to let the ship yard then occupied by Brown & Bell, fronting on Hous-

ton, Goerck and Mangin Streets, beginning 100 feet east of Lewis Street and thence extending to the river, being 200 feet in width and including one-half the block between Houston and Stanton Streets. In all there were thirty-two lots, together with a mold loft and other conveniences. Applicants were requested to call for particulars on Francis S. Brown, 4 Spruce or 411 Fourth Street. The two story brick front house at 122 Lewis Street, then occupied by Jacob Bell, was also for sale or to let, it being "a desirable residence for a genteel family."

Steam was in a very short time to change the entire mode of ocean navigation. The first steamship to cross the Atlantic was the "Savannah," built in New York by Fickett & Crockett, at the Erie Basin, Corlear's Hook, in 1818.* She was equipped with one inclined direct acting low pressure engine of 90 horse-power; diameter of cylinder, 48 inches; stroke 5 feet. Her engine was built by Stephen Vail at the Speedwell Iron Works, Morristown, N. J., and her boiler by Daniel Dodge at Elizabeth, N. J. The paddle wheels consisted of eight radial arms held in place by one flange and were arranged to fold like a fan. They were furnished with a series of joints, by means of which they could be detached from the shaft and taken on deck if required during a storm. The wheel house was made of canvass stretched over an iron rim. She was launched Aug. 22. (*Com. Adv.*, Aug. 21, 1818). Under the command of Moses Rogers, captain and chief engineer and Stevens Rogers, first officer, the notable voyage to Liverpool was started. Sailing southwesterly she touched at Savannah, Ga., in nine days, thence to her destination in twenty-two days, fourteen of the twenty under steam. Before returning to the United States the vessel visited several of the Continental ports of Europe. The great fire in Savannah in January, 1820 brought disaster to her owners, Scarborough & Isaacs, who failing in their efforts to dispose of her to the Government, were compelled to sell her elsewhere. Her engines were removed and sold to the Allaire Iron Works.* of New York

*This was at Corlear's Hook, says John Austin Stevens in The Physical Evolution of New York in a Hundred Years. None of the maps of the period lay it down.

*Years ago John Allaire had great iron works in the village of Allaire, Monmouth county, New Jersey. Here the iron used in the "Clermont" was fashioned. Competition of Pennsylvania manufacturers near the source of supply was the death of this hamlet.

for $1,600, and put to other purposes. In the Crystal Palace Exhibition of 1856 the 48-inch cylinder was shown in connection with her log book. After its exhibition the cylinder stood in the yard on the Cherry Street side of the Works. It was some years later and after Theodosius Secor, the Superintendent and Manager had left and an Englishman succeeded, that the latter placed the cylinder under the drop and broke it up. A very large piece to cast in those days, it was found that some of the iron had not "run up" well and there were several patches inserted in order to obtain a smooth surface. When the civil war broke out the Englishman went to New Orleans and built a battery of field guns for the Confederacy. He returned to New York later where he became obsessed with the idea that he was being watched and in danger of capture by the Federal Government. He removed to Toledo and shortly after committed suicide. John Roake, from whom these data were obtained, a member of Wilson & Roake, 29 Dover Street, has a ring made of a piece of the Savannah's cylinder. This firm limited its business to the construction of engines of 75 H. P., and has been for 45 years at this location. (1912).

After the vessel was divested of her engines she sailed between New York and Savannah as a packet for several years. She ran ashore on Long Island and went to pieces in 1822, a few months after the death of her commander. The original plans and working designs, together with many other interesting memoranda of this first Atlantic liner, are in possession of William G. Crockett of South Norwalk, Conn., a grandson of the Savannah's builder. (Henry C. Ely, in the *New York Sun,* June, 1912).

It is related that James Allaire, in his old age, when he lost his money and the works were in charge of the stockholders, used to sit on the stoop of a two story dwelling with dormer windows, which was located on the grounds. Secor, Erastus Smith and John Roach graduated from the moulding shop. In the middle fifties Allaire's son, Jimmie, was the time keeper. Roach lived in a tenement near by and was not rated high by his associates. Allaire, however, was of the opinion that he had more brains than many of them put together. So it did not surprise him, as it did the others, when Roach, Smith and Joe. Southworth, a foreman of

the works, started business in an old foundry and machine shop in Goerck Street, and it astonished the neighborhood when it became known that they had the contract for the first bridge over the Harlem River. (Reminiscences of John Roake).

It was many years though before the new method came into general use. In the interim the packet gave way to the clipper, in the speed and beauty of which American triumphs in the building of wooden ships were made manifest. A clipper was constructed primarily for speed, at whatever sacrifice of her carrying capacity. Her lines were sharper and she was longer and narrower than were her predecessors—the packets. The first clippers (1843 to 1850) were comparatively small craft of from 750 to 940 tons. The "Rainbow," built in 1843 by Smith & Dimon for William H. Aspinwall, was of the first named figure and the "Samuel Russell," built by Brown & Bell for A. A. Low & Bro., one of the most famous of her class for speed and beauty, was of the latter tonnage. But it was soon found that these were too small to be profitable; besides they were liable to be so strained in rough weather that the cost of repairs became a serious item. The California trade also required larger ships. Accordingly in 1851 William H. Webb, one of the noted shipbuilders of the day, whose construction of the clippers had brought him the greater part of his wealth, designed four vessels of this class with special reference to the demands of the merchants for speed, strength and capacity. They were the "Challenge" of about 2,000 tons; the "Invincible," of 2,150 tons; the "Comet," of 1,209 tons and the "Sword-Fish," of 1,150 tons—perhaps the swiftest, most beautiful and graceful sailing craft ever produced or that ever will be produced. These, with others like them, carried the American flag and the fame of the American genius to the remotest parts. (*Memorial History*, Vol. III:422).

When this class of vessels was first brought to the attention of English shippers and builders, the customary dissent and ridicule of "Yankee notions" were both entertained and proclaimed; but when the "Surprise," of A. A. Low & Bro. reached San Francisco from this port in ninety days, with a cargo of 1,800 tons, and discharging, loading and leaving for London via. Can-

ton, arrived there with the first cargo of tea and freight at six pounds sterling per ton (while English vessels were obtaining but from three to four pounds) netting her owners $50,000 in excess of her cost and running expenses, our English brothers, with their practical good sense, especially whenever the opportunity is presented to them to reap an advantage, were not slow to avail themselves of the example thus presented, and however distasteful it was to them to be goaded by "Yankees," yet they discarded sentiment and built clipper ships. (Haswell, 470).

The years between 1840-1860 were the golden days of the ship building industry. Some particulars and the location of ship yards during this era are narrated by Gen. Wilson in *Memorial History,* Vol. III:426. Near the present site of the Grand Street ferry-houses was the centre of the industry. Christian Bergh, father of Henry Bergh, of humanitarian fame, had his office on the northeast corner of Scammel and Water Streets. At the foot of Montgomery Street was the yard of Thorn & Williams and at Clinton Street that of Carpenter & Bishop. Fickett & Thom's yard, later at the foot of Houston Street, adjoined it and farther south were James Morgan & Son at Rutgers Street and Joseph Martin at Jefferson. Above Bergh's were a series of yards extending along the East River as far up as 13th Street, e. g. Sneden & Lawrence near the foot of Corlears Street: Samuel Harnards' near the foot of Grand Street; Brown & Bell's from Stanton to Houston, which was formally occupied partly by Henry Eckford and partly by Adam & Noah Brown; Smith & Dimon's, from 4th to 5th Streets; Webb & Allen's (afterwards William H. Webb's) from 5th to 7th Streets; Bishop & Simonson's (afterwards Westervelt & Mackay's) from 7th to 8th Streets; James R. & George Steers', William H. Brown's and Thomas Collyer's, still further north.

"Many other builders or repairers of ships occupied the same interesting shore at about the same time or later: Mr. George Thorburn, a well-known spar-maker, who now uses a part of the old yard of Sneden and Lawrence," says George W. Sheldon, in *Harper's Monthly,* which Gen. Wilson quotes, "counted the other day, not less than thirty-three of them, whose yards resounded with the axes and hammers of busy American ship-

carpenters, calkers, blacksmiths and joiners. . . . Morning, noon and evening Lewis Street was almost filled with the multitude of mechanics going to work in the ship-yards or returning thence; the sidewalks were not wide enough to hold them. The stranger, sailing down the East River and viewing the busy yards that lined the New York shore, the noble vessels on the stocks, the thousands of busy workmen and the huge collections of timber—white oak, hackmatack and locust for the ribs of the ships, yellow pine for the keelsons and ceiling timbers, white pine for the floors, live-oak for the 'aprons'—might have been pardoned for supposing that Manhattan Island was the headquarters of the ship-building of the world, for such indeed it was."

Some of the characteristics of these workmen are described by Gen. Hawkins, in the book heretofore mentioned, who states that "as late as 1850 the American mechanic of New York was a title to be proud of. He often boasted of his calling and was ever ready to state openly and boldly his sentiments. This class to a man was patriotic to the core, believed in George Washington, Paul Jones and the Constitution and had the history of the Revolution at their finger's ends. In their intercourse with others they were good-natured, kindly and jocose, returning joke for joke and always ready to engage in disputations concerning the topics of the day."

We have accounts from various sources of some incidents connected with the yards during this early period which will prove of interest, to wit:

To be sold at auction, one-third part of that valuable Still House, with implements complete, with the ground in fee, situated at the Ship Yards, Cherry Street. The remaining two-thirds being the property of Marinus Willet and John Wiley. (Sept. 16, 1786).

Yesterday was launched at Ackley's ship-yard the beautiful ship "Favorite," intended for the London trade and owned by John Franklin & Co. of this city. It was an amazing fine launch, performed in the presence of a vast assemblage of people, amongst whom were numbered the principal belles and beaux of our metropolis. (Oct. 11, 1786).

Warranty Deed: Henry Rutgers to Henry Eckford and

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Yesterday was launched at Ackley's ship-yard the beautiful ship "Favorite," intended for the London trade and owned by John Franklin & Co. of this city. It was an amazing fine launch, performed in the presence of a vast assemblage of people, amongst whom were numbered the principal belles and beaux of our metropolis. (Oct. 11, 1786).

Warranty Deed: Henry Rutgers to Henry Eckford and

Adam Brown, dated August 30, 1815; consideration $10,937.50. Two certain pieces of meadow, in the 10th Ward, late 7th, behind the land formerly of Nicholas Stuyvesant upon the East River, bounded on the south by the meadow formerly belonging to the King's Farm, but now or lately of Abijah Hammond, on the west by lands formerly of said Nicholas Stuyvesant, on the north by lands formerly of Col. Nicholas Bayard and afterwards of John Watts, containing 10 acres. Also that certain tract of meadow in the same Ward upon the east side of New York Island beginning at the southeast corner of the meadow formerly of Francina Hermans by the river side and running by the said river side southwesterly but measured on a straight line, nine rods to a stake formerly set in the ground, thence along the middle of a ditch (being the place where stakes were formerly set in the ground) west by north, 10° 15′ W. 64 rods to the upland, and so as the upland runs northerly to the northwest corner of the meadow formerly of the said Francina Hermans, and so by her line to the place of beginning, being bounded south by the meadow formerly of Mrs. Stenwick (Steenwyck) and Mrs. Jacobus van Cortlandt, to the east by the East River, to the north by the meadow formerly of the said Francina Hermans and to the west by the upland, containing 3 A. 3 R. 33 P., according to the survey of the premises made by Bridges and Poppleton, in April, 1814, as appeared by the map annexed. Recorded at the request of a the grantees, Dec. 15, 1815. The map mentioned is not recorded. (L. 111:541).

A petition of the United Society of Journeymen Shipwrights and Caulkers for a place of deposit for a miniature ship-of-the-line constructed by them as a specimen of the state of the art of ship building and which was exhibited in the procession on July 4th last, [the peace celebration], was read and referred to the Committee on Public Lands and Places, March 3, 1817. This Committee reported March 31 that "as our city is highly distinguished for naval architecture and the applicants should be encouraged," they recommended that the room on the ground floor of the Old Alms House next to Chambers Street, in the east wing, be leased to said Society for the same time and terms as other occupants of that building, during the pleasure of the

Common Council. (*Ms. Mins. C. C.,* Vol. 32:219, 303). This building stood on the site of the Tweed Court House and was destroyed by fire in 1854. There is no mention of this Society in the City Directories. As such organizations as the Humane Society are omitted perhaps it could not be expected that one composed of mechanics would be noticed. The model was doubtless destroyed.

Launch.—Messrs. Brown & Bell will launch at 12 o'clock this day, from the ship-house, Manhattan Island, a very elegant ship of 400 tons, to be called the "John Wells." She is of the first class and will be despatched immediately for Liverpool, under the Command of Josiah Barker. (*Gazette & General Advertiser,* May 25, 1822).

The New York Dry Dock Company was chartered in 1825, with banking privileges and a capital of $700,000, to construct a dry dock, but instead they built a marine rail for taking vessels out of the water for repairs. This was located at the foot of East 10th Street, was 300 feet in total length, and was operated first by horsepower, but a few years later steam was substituted. Its first trial was made in March, 1826, when a brig-rigged vessel was successfully raised. (*New York Shipyards,* J. H. Morrison, 51).

The Courier and Enquirer, April 11, 1835, contained the advertisement of the Novelty Iron Works, carried on by T. B. Stillman at the foot of 12th Street, near the Dry Dock. They were capable of building steam engines of any required power, high or low pressure, steam boilers of every description and iron and brass castings.

Philip Hone, Mayor of New York, 1825, relates in his *Diary,* 213, under date of June 23, 1836, that the first voyage ever made from New York to Albany by a steamboat propelled by anthracite coal occurred that day. The boat "Novelty" left at 6 A. M. from foot of Chambers Street and arrived at Albany in twelve hours. The quondam Mayor continues: Dr. Nott has been engaged for several years in contriving machinery to accomplish this important object and has succeeded completely. The great consideratum was to contrive the means of igniting the coal and producing a flame sufficient to create the steam. This has

been effected by condensing hot air, which, by injection into the bottom of the furnaces accomplishes this object and forces the flame into a chamber in which are a great number of iron tubes of the size of gun barrels, placed vertically. There are four of these furnaces. The quantity of coal consumed on this trip was about twenty tons at $5 per ton. The same voyage would have consumed forty cords of fine wood, the present price of which is $6, making a difference of more than one-half. Dr. Nott, who was on board, has made experiments, the result of which is that the difference of expense on board the "Novelty" during one season will amount to $19,000. . . . Dr. Nott has succeeded completely in this invention which establishes the certainty that coal will supercede wood in all our steamboats.

May 8, 1837. The Dry Dock Bank stopped payment. (*Ibid.* 254).

Courier and Enquirer, March 9, 1839. Henry Eckford occupied a large wooden building on Lewis Street as a mould loft.

January 13, 1840. The brig "Galveston" sailed to-day for the city of its name. She had been just completed, being built for Dunham & Dimond, old shipping merchants who had been in the South American trade. She was commanded by Captain Burr, a typical Yankee Skipper who had often sailed to the Spanish Main. The "Galveston" took on her load at the foot of Liberty Street, E. R. (*The Sun,* Oct. 2, 1910).

Christian Intelligencer, Aug. 1, 1840. A floating dry dock of sufficient capacity for ships of 500 tons has lately been built at Fort Montgomery under the superintendence of John S. Gilbert, for whom it was constructed. It will in the course of a few days be located at the foot of Rector Street, N. R. It is built on an entirely new principle. The vessel is not to be lifted from the water, but is to be sustained while the water is to be discharged from around it. This operation will take about half an hour.

Christian Intelligencer, May 1, 1841. The boiler of the small steam towboat Henry Eckford, exploded about 6 o'clock on Tuesday last, destroying the whole of the machinery, killing one man outright and maiming several others. She was about starting from the foot of Cedar Street with a vessel in tow. An old boat, built in 1824, she was of no great value.

Troy Whig, of Sept., 1842. A contract was made a day or two ago between the Troy Steamboat Company and Mr. Brown of New York for the construction of a steamer to be 810 feet keel and 28 feet beam to be finished by the first of May next.

Christian Intelligencer, Jan. 21, 1843. The largest steamboat in the world has been launched from the shipyard of William H. Brown, foot of 12th Street. She is built for the Troy Company and intended to ply between this city and Troy, *twice* every day during the summer. . . . Her dimensions are: Extreme length of deck 330 feet; breadth of beam exclusive of guards 30 feet 6 inches, and depth of hold 9 feet 6 inches. She will be equal to about one thousand tons burthen; and it is supposed the fastest boat ever built.

Courtlandt Palmer, Roswell B. Mason, Freeman Campbell, Rutherford Moody, John G. Myers and Daniel Dodge were incorporated under the name of the N. Y. Floating Dry Dock Company for the purpose of constructing, using and providing one or more dry docks or wet docks. Capital stock $100,000 in 1,000 shares of $100 each. (Chap. 170, passed April 18, 1843). The stock was increased by Chap. 96, Laws of 1849 (March 12) to $250,000, and the number of directors to nine.

June 23, 1843. Died this day, Christian Bergh, aged 81, the oldest ship-carpenter in the city, the father of that great system of naval architecture which has rendered the city of New York famous throughout the world. He was the first to send on the great waters the models of packet ships which have borne the palm from all other commercial nations; others have followed in his career and of late some may have exceeded him, but Christian Bergh was the first to raise the character of Yankee packet-ships to a height which as yet has been unapproached by any foreign nation. (Hone, 187).

September 9, 1843. Launch of the new packet the "Queen of the West" from Brown & Bell's yard for Woodhull & Minturn. She exceeds all others in strength, beauty and convenience as she does in size. Her burden is 1,350 tons and her length 198 feet. The length of the gentlemen's cabin is 60 feet, the ladies' 18 feet. The staterooms are double in size. The steerage and forecastle, the kitchens, cooking apparatus and ice house are admirable. (*Ibid.* 193).

September 16, 1843. The Mayor notes that he sailed on his first voyage this day. He adds: De Tocqueville predicted "the Americans were born to rule the seas as the Romans were to conquer the world." The splendid ship "Ashburton" so named in honor of Lord Ashburton, belonged to Grinnell, Minturn & Co. (*Ibid.* 193).

November 27, 1843. Grinnell's new packet ship "Prince Albert" sailed on her first voyage to London on Friday last. She is equal to the noblest, the best and the most beautiful of her unrivalled class. She sailed from the wharf in South Street, near Fulton Market. (*Ibid.* 201).

January 18, 1844. The new ship "Yorkshire" sailed to-day on her first voyage to Liverpool. Among her passengers was the interesting dwarf who has delighted the citizens of New York under the name and title of Gen. Tom Thumb. The greatest *little* man I ever saw, handsome, well formed and intelligent, 11 or 12 years old and not taller than my knee. (*Ibid.* 204).

February 29, 1844. An awful catastrophe occurred yesterday about 4 P. M. on board Capt. Stockton's steam-frigate "Princeton"—the vessel which was here a few weeks ago, fitted up with Ericsson's propellers and carrying an enormous wrought-iron gun, which threw, by the force of 45 lbs. of powder a ball of proportionate size three miles at each discharge. This murderous projectile was called the "Peace-maker." [This gun was made at the Hammersley Forge, foot of West 59th Street. For a description see *The New York of Yesterday—Bloomingdale*]. There was on board a party of 500 ladies and gentlemen, including the President [Tyler] and heads of departments, (all except Mr. Spencer) with their families, naval and military officers, senators and members of the House of Representatives and all the distinguished persons resident and visiting at Washington. The affect of this tremendous explosion [which occurred on the trial trip on the Potomac] was the immediate death, under the most shocking circumstances, of Mr. Upshur, Secretary of State; Gov. Gilmer, Sec. of the Navy; Virgil Mazcy late Chargé d'affairs at Belgium; David Gardiner, late State Senator of New York, Commander Beverly Kennon, U. S. N., and some others whose names are not yet given. Several persons were wounded;

in the number Capt. Stockton, dangerously, Col. Benton, slightly, etc. There were 200 ladies on board but fortunately they were all below dining and drinking toasts. By this circumstance they were saved. Nothing so dreadful has ever happened in this country except. . . . the conflagration of the Richmond Theatre.* (*Ibid.* 206).

March 25, 1845. The packet-ship "Henry Clay," belonging to Grinnell, Minturn & Co., lies a wreck on the fatal Squan beach, about a mile from the spot where the "John Minturn" was lost. Shewent ashore in a violent gale on the 24th at midnight. The ship was one of the largest and most costly class and sailed on her first voyage last May. On April 3 she reached the city. The result of this disaster is a proud testimony to the strength and construction of the New York commercial marine. She has been lying for the last twenty days, broadside to the shore, on a stormy beach, the destroyer of many a merchantman and the grave of many a hardy seaman. Everything that has been stranded there during the late gales has gone to pieces except this fine ship, which like him for whom she is named, strong and sound in materials, honestly and skillfully put together, though beaten is not broken and will soon be ready for a new voyage. (*Ibid.* 274).

1847. The volume of ship building for the year was 39,918 tons launched, and 29,870 in process of construction on the stocks, employing 2,300 workmen. (Haswell, 439).

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*On Thursday night, Dec. 26, 1811, the theatre on Shockoe Hill, in Richmond, Va., was burned. The pantomime to be presented, entitled "Agnes and Raymond or the Bleeding Nun," was translated by Mr. Girardin, and out of compliment to their fellow citizen a large attendance was present. It was to have closed the performance. In the first act of this afterpiece one of the scenes exhibited the cottage of a robber, which was illuminated with a chandelier. When the curtain fell at the end of this act and before it rose for the second, this chandelier was raised aloft among the oil-painted scenery. By a fatal inattention the lamp was not extinguished. The fire instantly caught, spread with rapidity and in less than five minutes the whole roof, as well as the suspended combustible materials, was in a blaze. The building was highly inflammable, even the ceiling of the lower boxes being constructed of canvass and the audience had little chance to escape. Those in the front of the house were suffocated or crushed to death by the falling ruins. The number of victims, as taken from the Gazettes published at the time and corrected by the author from verbal information received of sundry people in Richmond were 73, among them George W. Smith, Governor of Virginia, Abraham B. Venable, president Virginia Bank, John Welch, nephew of Sir A. Pigott of England, Miss Mary Clay, daughter of the Congressman, Lieut. James Gibbon, U. S. N., and many of social prominence.

On the site was erected a P. E. Church, which was opened May 4, 1814, when the sermon was delivered by Rev. W. H. Wilmer (*Coll. Amer. Epitaphs and Inscriptions, etc.,* by Rev. Timothy Alden, A. M., N. Y., 1814, Vol. 5:7.)

September 5, 1849. The packet-ship "Henry Clay" belonging to Grinnell, Minturn & Co., was burned at her dock in front of their office on South Street. She was named for the great statesman by his friend Henry Grinnell, who, soon after christening her, received a letter from a Southern Democrat assuring him she certainly would have ill-luck. (Sheldon's *Vol. Fire Dept.*, 230).

January 10, 1850. The *Courier and Enquirer* contained a long account of the loss of the "Caleb Grimshaw," one of the "best of our New York built ships," which was launched in Feb., 1848, and on the 22 Oct. sailed from Liverpool on her sixth voyage, with a large number of passengers and a full cargo. At 8 P. M. on Monday, Nov. 12, 1849, a cry of fire was raised. The smoke within the first hour became so dense that breathing was impossible between decks. Consternation broke loose. The passengers rushed to the "quarter boats," hanging at the davits and crammed them full. By the use of force one of them was cleared, while, sad to relate, the other was carried away from the davits. Those who occupied it perished. The hold was flooded to the depth of 11 feet in a few hours. The smoke increasing the people became reckless, and about 60 of the strongest rushed to the raft and fearing it might be overburdened, at once cut it adrift. The next day the 13th, the wind blew heavily from the eastward and nothing was afterwards heard of it. There was little doubt that all were lost. Heat and smoke still being alarming the long boat was hauled under the stern and the Capt's wife, Mrs. Hoxie and child, were lowered into it from the cabin windows. Other boats were then filled with as many as they could safely carry. Those who remained on board for whom no places were found became perfectly wild; their shrieks of despair were frightful. At 4 P. M. the boats were all astern and the ship was settling fast. At 12 M. on Tuesday it was noticed that more steam than smoke came from below, and the exertions of the pumps were somewhat remitted. On Wednesday sail was set with the hope that thus they might fall in with some vessel. Friday the burning ship made out a sail some 20 miles away. The stranger finally saw the signals and at 4.30 she came within hailing distance, and proved to be the British bark "Sarah" of

Yarmouth, Nova Scotia. All were transferred and both vessels were brought into Flores, one of the Western Islands on the following Wednesday. On Thursday the hatches of the "Grimshaw" were raised, and in twenty minutes she was wrapped in flames and at daylight nothing remained of her. This report was received when Capt. Hoxie and his family and some of the officers reached New York from Fayal in the bark "Clara C. Bell."

January 28, 1850. Three steam vessels of the aggregate cost of more than a million dollars were launched in succession from the ship-yard of William H. Brown. "The New World," intended for the navigation of the rivers of California. Length 216 feet; breadth of beam 27 feet; depth of hold 10½ feet; burden 650 tons. The interest of the transit of this vessel from the land to her destined element consisted in her being launched with all her machinery on board, which, as soon as she touched the water, was set in motion; the wheels revolving, the smoke ascending and the steam whizzing with its usual vivacity she went to see the launch on the other side of the Point. A rush now took place of the countless multitude to the yard of the Novelty Works. Whilst we were waiting for the crowning glory of the occasion, a noble steamer, of 800 tons, the "Boston," took her departure from the land alongside of the leviathan of the ocean. She is intended to run between Boston and Bangor. Soon after this the "Arctic" began to move slowly and gracefully, heralded by the shouts of the immense multitude who had been anxiously looking for the event. The first movement of the largest vessel ever built in the United States, several hundred tons larger than a first-rate man-of-war, she sat so easily that her bows did not displace a foot of water. This great specimen of American enterprise and skill in naval architecture and mechanical science belongs to the Collins line of New York and Liverpool, which carries the mails between the two ports. She is to be connected with the "Atlantic," "Pacific," "Antarctic," and "Adriatic." They cost nearly $600,000 each. There is nothing like it in the world. The dimensions of the "Arctic" are: Length on deck 295 feet; width of beam 46 feet; depth of hold 32 feet; burden 3,500 tons. She has 95 inch cylinders, with 9 feet stroke; wheels

35 feet in diameter; 12 feet buckets; 4 decks; excellent sleeping accommodations and cabins decorated with all the splendor and extravagance for which our Yankee marine palaces are famous the world over. . . . The vessels of the Collins line are so constructed as to be convertible into vessels of war. (*Hone,* 371).

May 4, 1850. Congress has passed a bill to receive the two vessels to be fitted out by Henry Grinnell to proceed to the north pole in search of Sir John Franklin. The little squadron about to be engaged in this work of beneficence is placed under the rules and regulations of the U. S. Navy which is also to furnish the officers and men for the expedition. (*Ibid.* 382).

1851. Williams & Guyon incorporated the Black Star Line of sailing packets to Liverpool. (Haswell, 470).

July 21, 1852. Death of an Eminent Shipbuilder.—We regret to learn that Mr. Jacob Bell, died a day or two since, while on his way to Sharon Springs for the benefit of his health. Mr. Bell was well known as the builder of a great number of large and splendid vessels, among them the Collins steamer "Pacific," which is reckoned the fastest steamship afloat. (*Tribune*).

December 30, 1852. Shipbuilding has lately taken a new start in this city, in consequence of the prevailing high freights, and several new merchantmen have been contracted for. Jacob A. Westervelt has commenced two, one for Chambers & Heiser and one for Spofford & Tileston, of 1,300 and 1,500 tons, respectively. Other builders have taken new contracts. (*Christian Intelligencer*).

November 10, 1853. It is said that a New York firm has offered $200,000 for Donald McKay's mammoth ship, the "Great Republic." (*Ibid*).

December 26, 1853. About midnight the rear of No. 244 Front Street, occupied by Treadwell & Son, bakers, was discovered to be on fire. A strong west wind carried the flames to the adjoining stores of Jones, Rowland & Co., D. W. Manwaring and Harris & Co., and also to the docks of the East River and the rigging and masts of vessels. At half past one o'clock the spars of the large ship "Great Republic"—she was 325 feet long and 4,555

tons in burden—were ablaze, high above the reach of the engines, and soon fell upon the deck. In a few minutes the magnificent vessel was wrapped in flames—an imposing sight, especially when the forms of her daring crew, who had ascended the rigging to do what they could, became visible aloft. Her cargo consisted of $300,000 worth of beef, lard, wheat, corn, flour, cotton, tea, resin, tobacco, argols and maple and cedar wood. The total loss was $600,000. The ships "Joseph Walker," of the Black Star Line and "DeWitt Clinton" were also destroyed. The clipper-ship "White Squall," having caught fire, was loosed from her moorings; but the gale blew her across the East River to the wharf of the Brooklyn Gas Co., near the foot of Hudson Avenue, where she was with difficulty made fast, while the engines played upon her. She burned to the water's edge. Her owners were Platt & Son of Philadelphia, and Booth & Edgar of New York. The "Great Republic" was built and owned by Donald McKay of Boston. (Sheldon's *Vol. Fire Dept.* 240).

When the "Joseph Walker" took fire at the foot of Dover Street, Engine Co. No. 44 was having a ball in Tammany Hall. The old remedy for a burning ship was to scuttle her. But the "Walker" was treated by closing up her hatches, side-lights and other openings, confining her smoke, playing into her hold from the butt of the hose and sinking her. This took a comparatively short time, and when the fire was out the suctions of the engine were put into the vessel and she was pumped dry. (*Ibid.* 423).

March 2, 1854. The "Great Republic" as a Steamer.—It is reported that the remaining hull of this mammoth clipper-ship is to be converted into a steam frigate, on the order of a foreign house. Her late Commander Capt. L. McKay, took passage in the ship "Lightning" for Liverpool, for the purpose, it is said, of completing the necessary arrangements. An iron chest containing several thousand dollars, which was on board this ship when she was on fire, has been recovered. The bills were reduced to ashes and the greater part of the silver and copper were lovingly blended together and transformed into a good standing color—black. (*Christian Intelligencer*).

December 21, 1854. Destitution in the Eleventh Ward.—The

pastor of the Eleventh Presbyterian Church of this city, Rev. J. P. Hovey, whose residence is 199 Fifth Street, informs us that 3,000 persons have been dismissed from employment in the different ship-yards and iron works in the above-named Ward, in the last few weeks. Dependent, as their families are, on their daily labor for support, very many are reduced to great straits and help is urgently required. Many of these families are connected with Mr. Hovey's congregation and we assure our friends that any donations they may transmit to him will be judiciously and faithfully applied. (*New York Observer*).

This congregation grew out of and was known as the Manhattan Island Church. The settlements around the Dry Dock were ministered to by early city missionaries. During the summer of 1816 Rev. Ward Stafford preached often at the ship-yards, in a room furnished by the Messrs. Brown. In the early part of 1834 the Rev. John J. Slocum commenced services on the second floor of a building which was erected on what is now (1850) Fourth Street, having a schoolroom on the first floor. It was often called the Church in the Swamp as it was partially surrounded by low and marshy ground. On June 9, 1834, a church was organized by the Third Presbytery and on the 15th. Mr. Slocum was installed. The members united with the Eleventh Church, when that was founded in 1839, which occupied for three years the edifice in Fourth Street, but in Oct., 1842, completed and dedicated a new house of worship on the corner of Fourth Street and Avenue A, the Rev. Mason Noble, minister. (Greenleaf's *Old Churches,* 191).

March 22, 1855. Mammoth Steamer.—The People's Line have concluded to make very extensive alterations in the "New World," which is now the largest steamer that has ever run between this city and New York. They have concluded to widen her hull by adding twelve feet to her width of beam, etc. There will be two tiers of state-rooms above the main deck for the accommodation of passengers. It is intended to make her the most magnificent and spacious vessel affoat. The "New World" will be ready, it is presumed, to take her place in the line sometime during the month of August. (*Albany Journal*).

Dec. 22, 1856. The steamship "Knoxville" was burned at Pier No. 4, N. R. Loss estimated at $185,000. (Sheldon, 245).

During the panic of 1857 the industry languished. Many hands were discharged. From the *Herald* of Wednesday, October 14, these data are obtained: Morgan Iron Works, foot 9th Street, which usually employ 450 to 475 men, reduced the number to 375; Novelty Iron Works, foot 12th Street, one thousand, discharged 200; Secor Iron Works, foot of 11th Street, 75 reduced to 34; Dry Dock Iron Works in 10th Street, 75 to 100, discharged 20 on Monday evening; Mulligan Iron Works in 10th Street, 25 to 30, discharged all but 4; Neptune Iron Works, foot of 8th Street, 150 to 160, discharged between 50 and 60 the past month; D. D. Badger & Co. in 14th Street, near Avenue C, Architectural Iron, 400 to 500, dismissed 35; J. J. Pratt's Iron Foundry in Attorney Street, 25; Salamander Works in Cannon Street, 50; Eckford Iron Works, corner of Cannon and Stanton Streets, no report; Aetna Iron Works in Goerck Street, 80 to 90, discharged 30; Allaire Works, Cherry Street, 580, the only concern which took on men, 150; J. B. & W. W. Cornell Iron Works, Centre Street, 225, reduced to 148.

Access to the ship building centre was gained by stage lines. James Murphy was proprietor of one which ran twenty 2-horse 'buses commencing at 14th Street, thence up Avenue B to 10th Street, through to Avenue A to 8th Street, to Astor Place, down Broadway and Whitehall Street to South Ferry. Another was owned by Mackrell & Simpson, who operated 28 stages from Avenue C and 10th Street through to Avenue D to Lewis Street, Grand, to East Broadway, to Chatham, to Broadway to Whitehall and the ferry. Hatfield & Bertine ran a line composed of the same equipment from Avenue C and 10th Street, through Avenue D, Columbia, Grand, the Bowery and Chatham Street to Broadway terminating at the ferry and Hatfield, Bertine & McLelland had 20 stages leaving the south side of 8th Street, thence through Avenue C to Houston Street, to the Bowery, thence to Chatham Street and Broadway to the ferry.

Ten years later (1859) the Murphy line had been absorbed by the New York Consolidated Stage Co., formed under the Act passed April 4, 1854, (Chap. 142:325). The Mackerell & Simp-

son line was still in their possession, Hatfield* & Bertine had retired in favor of the Dry Dock Line, controlled by D. L. Young and Sudlow & Siney carried on their 8th Street line. There was in addition a line run by Thomas Welwood, the route of which began at Coenties Slip, continued up South Street to Gouverneur, up that street anl Madison to Goerck, to 3rd Street, down to Avenue D to the Green Point Ferry, foot of Kent Street, with eight stages. A. Finck & L. A. White carried on a line of fifteen 'buses from the corner of 23rd Street and Avenue A, through to Essex Street, to Division, to Chatham, to Broadway, to Fulton, to Washington, to Cortlandt Street ferry,—15 2-horse stages. O'Keefe & Duryea had a route from Houston Street ferry, through 2nd Street, to Bleecker, to Broadway, to Cortlandt, to Jersey City ferry—25 'buses, and Johnson & Williams maintained their line from Williamsburgh ferry, Grand Street, to Cannon Street, to 2nd Street, to Avenue C, through to 10th Street, to Avenue B, to 14th Street, to 3rd Avenue, to 26th Street, to Broadway, to 32nd Street, through to the Hudson River Railroad depot. Returning by the same route their charter gave them the privilege of going to the Crystal Palace. In all they ran 18 2-horse stages. (*Valentine's Manuals*).

December 18, 1860. The new steamship "John P. King" was burned at pier No. 4 N. R., and then cut loose and towed out into the stream. Some members of No. 38 Engine, who were playing on the flames in the engine-room, were not aware that the ship was moving out until the flow of water through their hose stopped. Two or three jumped from the blazing ship and were picked up by boats. (Sheldon, 250).

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*Abraham Hatfield, of White Plains, N. Y., was born Sept. 1st, 1801, and died Dec. 23d, 1876. He was a man of high standing in New York City and Westchester, in which county he was supervisor for fourteen years and Chairman of the Board. He was an Alderman in New York and a member of the Assembly. A fair, just and impartial man, he was highly respected by his political opponents. As one of a committee he proceeded to Boston, where they inspected the prisons for the benefit of New York City. They drew $400 for expenses of the trip and returned a balance to the treasury—an event worth recording. (Wakeman Genealogy, 230.)

John Trumbull the Historical Painter

BY JOHN HOWARD BROWN

The Boston Evening Transcript of May 11, 1914, brings to us the following interesting item of what is evidently the latest addition to the known works of this eminent American painter, which will interest our readers and do fuller justice to the celebrated artist than that devoted to him in the collective sketches of American painters in the issue of last month: "A very interesting self-portrait by Colonel John Trumbull is now on exhibition at the Copley Callery, 103 Newbury street. It comes from a Massachusetts private collection, where it has been hanging for many years in obscurity. It is evidently an early example of Trumbull's work, a fact which is shown both by the youthful aspect of the sitter and by the workmanship, which is crude and somewhat timid. The artist was the earliest of our American painters to devote himself to historical subjects."

JOHN TRUMBULL, the historic painter, who preserved so many notable scenes of the American Revolution which are highly prized by collectors; was the son of Jonathan Trumbull and Faith (Robinson) Trumbull, grandson of Joseph Trumbull (who died June 16, 1755), and Hannah (Higley) Trumbull, great grandson of Captain John Higley of Windsor and Simsbury and of John Trumbull and Deborah (Jackson) Trumbull of Suffield, Connecticut, and great-great-grandson of John Trumbull, the immigrant who came from Newcastle, upon Tyne, England, about 1637, settled first in Roxbury, Massachusetts Bay Colony and then in Rowley, and married Elleanor Chandler. Governor Jonathan Trumbull (1710-1785) a graduate of Harvard, 1727, A. M. 1730, LL.D., Yale, 1779, Edinburgh 1785, Fellow of the American Academy of Arts and Sciences; Chief Justice of the Connecticut Supreme Court, and governor of Connecticut 1769-83, was a staunch friend and adviser of General Washington. He early assured the commander-in-chief of the loyal support of the people of Connecticut to the cause of American independence and led them in upholding him in the darkest days of the struggle, and when Washington was in doubt as to his course of action he frequently

Battle at Princeton. Painting by John Trumbull

said: "Let us consult Brother Jonathan," thus creating the typical "Uncle Sam" who has been held up ever since so patriotically, and we may say reverently, if not saintly, as the true representative of the spirit of American independence. In 1896 the Connecticut Society, Sons of the American Revolution, caused to be erected on the chimney above the fireplace in the old war office at Lebanon, Connecticut, a bronze tablet on which is inscribed:

1775-1783
Lebanon War Office
During the War of the American Revolution
Governor John Trumbull
and the Council of Safety
Held more than eleven hundred
meetings in this building and here
also came many distinguished officers of
the Continental Army and French Allies.
Their Monument is more Enduring than Bronze.

JOHN TRUMBULL, fourth son of Jonathan and Faith (Robinson) Trumbull was born in Lebanon, Connecticut, June 6, 1756. He was prepared for college at Nathan Tisdale's school at Lebanon, was graduated at Harvard College, A. B., in 1773, and divided his young manhood between teaching in Nathan Tisdale's school and in his future vocation as painter. At the outbreak of the American Revolution in 1775 he journeyed to Boston with the First Connecticut regiment of which he was adjutant under Colonel Joseph Spencer. The regiment was stationed at Roxbury and from this point he witnessed the Battle of Bunker Hill, fought on Breed's Hill, Charlestown Heights, June 17, 1775, and made the sketch from which his celebrated painting was made. When Washington assumed command of the army before Boston, July 3, 1775, Trumbull by creeping through the tall grass approached the enemy's works on Boston Neck, and drew a plan of the fortifications of the British army which greatly aided Washington in his plans for fortifying Dorchester Heights as carried out by General Rufus Putnan, and this service was rewarded by Washington by appointing the artist-soldier a member of his staff as second aide-de-camp. In June, 1776, he was appointed adjutant with the rank of colonel on the staff of General Horatio Gates, in command

of the Northern forces operating against Crown Point, he in this way took a prominent part in the advance and subsequent retreat to Ticonderoga. In June, 1776, he rejoined Washington in New Jersey and was with him at the Delaware, December 25, 1776, when with only two thousand five hundred men he crossed the stream filled with floating ice, marched nine miles in the midst of a blinding snow storm and took Trenton by surprise, December 26, 1776, and followed with the strategic Battle of Princeton, January 3, 1777, which event was rendered immortal by the painting of the scene by the youthful artist from sketches made amid the battle scene itself. In 1777 he resigned from the army by reason of a misunderstanding in reference to his commission and took up the study of art in Lebanon and subsequently in Boston. In 1780 he went to London where he studied in the rooms and under the direction of Benjamin West, and also at the Royal Academy. While in London he was arrested and imprisoned in 1780, when the British government learned of the execution of Major Andre, and on his release in 1781 he returned home, arriving in Boston in January, 1782; he returned to London in 1783 resumed his studies in art and concessed the idea of painting historical scenes of the American Revolution of which he had already made sketches amid the very scenes he sought to truthfully depict. He, for this purpose, went to Paris where he painted "The Declaration of Independence" and the "Sortie from Gibralter." In 1794 when John Jay was sent to England as special envoy to negotiate the treaty which took his name and became known as the "Jay Treaty," he served as his private secretary, 1794-96, and in 1796 he was appointed commissioner to carry out the terms of the treaty. In 1804 he established a studio in New York city as a portrait painter. His intimate personal acquaintance with General Washington, made his portraits of the American hero popular, and he painted thirty-four distinct portraits. He also painted portraits of Putnam, Knox, Schuyler, Gates, Stark, Greene, Lafayette, Clinton, Montgomery, Lee, Moultrie, Pinckney and Arnold. His civilian portraits included John Adams, Samuel Adams, Benjamin Franklin, Patrick Henry, Roger Sherman, John Jay, Timothy Dwight, Stephen Van Rensselaer, Jon-

athan Trumbull, Rufus King, George Clymer and Christopher Gore. He painted but one portrait of himself. His historical paintings besides the ones already named included "The Battle of Bunker Hill," "Battle of Princeton," "Battle of Quebec," "Surrender of Lord Cornwallis," "Surrender of General Burgoyne," "Washington resigning his commission to Congress," and "Peter the Great at Narva." Among his religious paintings his "Our Saviour with Little Children," and "The Woman Taken in Adultery" were well known. In spite of his great talent, intense patriotism and wide acquaintance with most of the subjects he painted he found himself in 1831 greatly reduced pecuniarily and he sought relief by arranging with Yale College to provide for himself an annuity of one thousand dollars annually during the remainder of his life by delivering to the college his unsold paintings. After his death these paintings were exhibited by the college and the proceeds from such exhibitions used for the education of needy students matriculating at Yale. John Trumbull the historic painter never married. He died in New York City, November 10, 1843. At the sale of historical paintings in New York City in April, 1914, his "The Battle of Bunker Hill" was sold for $750.00 and his bust portrait of General Washington in uniform was sold for $725.00. These were among the early American paintings of importance belonging to the collection of Dr. George Reuling of Baltimore.

Election of Judge Doolittle as Senator from Wisconsin in 1857

Duane Mowry, LL.B., Milwaukee, Wis., Contributor

To the Editor:

The copies of letters, documents and proceedings herewith submitted are taken from the originals in the possession of the contributer. They are, of course, a part of the private papers of the late Ex-Senator James R. Doolittle. They will be presented, with other documents at a later date, to the Wisconsin State Historical Society.

The matter submitted was the outcome of a ruling made by Lieutenant Governor Arthur McArthur as the presiding officer of the joint convention convened in 1857 to elect a United States senator from Wisconsin to succeed the Hon. Henry Dodge. Although Mr. Doolittle received seventy-nine votes out of one-hundred and seventeen votes cast, a clear majority, the chair read an opinion upon the constitutionality of votes given for a person whose term as a judge has not expired, and declared that votes for James R. Doolittle were void and not in order, Mr. Doolittle having been chosen as a circuit judge in 1853, and the term for which he was elected not having expired, and no person having received a majority of the votes given, no election had taken place.

The minutes of the proceedings of the convention show that Senator James Sutherland, of Janesville, appealed from the decision of the chair deciding that "the votes given for James R. Doolittle were void and not in order, and that no person having received a majority no election had been made." The question being "Shall the decision of the chair stand as the judgment of the convention?" the same was lost by a vote of seven-

ty-one against forty in favor of such ruling. The election of Mr. Doolittle, therefore, had been determined by the convention.

But a practical difficulty presented itself. Mr. McArthur, as the president of the Senate and the presiding officer of the joint convention, declined to join in a certificate of Mr. Doolittle's election, holding that votes for Judge Doolittle were void under the constitution. His letter submitted clearly establishes that to have been his view of the law. It seems, however, that Mr. McArthur was quite willing to certify just what occurred in the joint convention. The papers in the possession of the contributor show that. And it is due to his memory that that fact appears in this statement. Evidently, the friends of Judge Doolittle thought, that by having the facts properly presented to the senate, his seat would be assured to him, for that body is and always has been "the judge of the elections, returns, and qualifications of its own members." The outcome justified that suspicion. Judge Doolittle was given his senatorial seat.

The attitude of Lieutenant Governor McArthur in refusing to sign Senator Doolittle's certificate of election, however, resulted in the passage of the law elsewhere printed in this article. This authorizes the clerks of the senate and assembly to make out a certified statement of the result of the election, if the president of the senate and the speaker of the assembly, or either of them, neglect or refuse to act. The substance of this act is in the revised statutes of 1898, being section 94u, chapter 8.

The certificate of election, which was not signed by Mr. McArthur, appears to have the original signatures of Mr. Spooner, the speaker, and of the two clerks, Messrs. Webb and Brisbane. The affidavit attached to this document is entirely in the handwriting of Mr. Doolittle, including his signature. It is to be observed that the jurat is not executed. This, however, may be a duplicate document.

The letter of Judge Doolittle to Lieutenant Governor McArthur, or a copy of it, does not appear among Mr. Doolittle's correspondence. It was not often that he kept copies of letters. Nevertheless, it would have been interesting to known what was the nature of his letter to Mr. McArthur, which called forth the latter's reply herein reproduced.

It might be proper to add that Congress no longer considers state laws disqualifying its members to hold seats in the national halls of legislation as binding upon it. And that objection, in and of itself, is now no longer urged upon the congressional body.

DUANE MOWRY.

STATE OF WISCONSIN,
EXECUTIVE DEPARTMENT.
Madison, February 13th, 1857.

Hon. James R. Doolittle:

SIR:—I have the honor to transmit to you herewith a certificate of your election as a Senator in Congress from this State, also a Certificed Copy of the proceedings[1] of the joint Convention, and a Certified Copy of the Act authorizing the Certificate. I believe these are all the papers you desired and I trust they will be acceptable to you. I hope and trust that you will have no difficulty in obtaining your rights.

I am, Sir, Very Respectfully Your Ob't Servant,

B. F. HOPKINS,[2]
Pr. Sec't'y.

At a Joint Convention of the Legislature of Wisconsin, held in the Assembly Chamber, on Friday, the twenty-third day of January, A. D. 1857, at 12 o'clock, M. under a Joint Resolution passed for that purpose, and in pursuance of the provisions of law for the purpose of electing a United States Senator in the place of the Hon. Henry Dodge, whose term expires on or before the fourth day of March next: We certify, that upon motion duly made, and passed for that purpose, the members of the Joint Convention proceeded to vote for United States Senator *viva voce*: That the whole number of votes given was, one hundred and seventeen; that of that number seventy-nine votes were given for James R. Doolittle; which, being a majority of the

1. The certified copy of the proceedings of the joint convention are too long for reproduction. They are to be found in the assembly journal of that date and are accessible in almost any public library in the state. Reference to the proceedings is made elsewhere in this article. The certified copy of the law authorizing the certificate appears elsewhere. This statute is the law, substantially, at the present time.

2. Mr. Hopkins was afterwards a member of congress from Wisconsin, and died in office.

whole number of votes, said James R. Doolittle was chosen a Senator of the United States for the State of Wisconsin, for the period of six years from the fourth day of March, A. D. 1857.

Madison, February 4th, 1857.

WYMAN SPOONER,
Speaker of the Assembly.

Attest.
W. C. WEBB,
Chief Clerk of the Assembly.

.....
President of the Senate.

Attest.
WM. HENRY BRISBANE,
Chief Clerk of the Senate.

State of Wisconsin, |
|ss.
Dane County. |

James R. Doolittle, being duly sworn deposes and says, that he called upon the Hon. Arthur McArthur, and requested him to join in making the above annexed Certificate, as the acting President of the Senate and that he declined to do so, as will more fully appear by the letter, addressed by this deponent to him and by his reply thereto, which letters are hereunto annexed for greater certainty. JAMES R. DOOLITTLE.

Subscribed and sworn to this 12th day of February, A. D. 1857, before me.

(No signature attached).

AN ACT TO AMEND CHAPTER SEVEN OF THE REVISED STATUTES.

The People of the State of Wisconsin represented in Senate and Assembly Do Enact as follows:

SECTION 1.—In case the President of the Senate and Speaker of the Assembly, or either of them, shall neglect or refuse to execute the certificate required by Section ten of Chapter Seven of the Revised Statutes, the chief clerks of the Senate and Assembly, shall make out a certified Statement of the result of such election, stating the whole number of votes given and the number of votes received by each person voted for, and shall deliv-

er such certified statement to the government and a certified copy thereof to the Secretary of State.

SECTION 2.—The Governor shall upon receiving such certified statement make out and deliver to the person who shall have received a majority of the votes cast a certificate under the seal of the state, signed by him as Governor certifying that such person has been duly elected Senator.

SECTION 3.—This act shall take effect and be in force from and after its passage.

WYMAN SPOONER,
Speaker of the Assembly.

ARTHUR McARTHUR,
Lt. Gov. & Prest. of the Senate.

Approved, February 12th, 1857.

COLES BASHFORD.

State of Wisconsin, | ss.
Secretary's Office. |

The Secretary of State of the State of Wisconsin does certify that the foregoing Act has been compared with the original Enrolled Act deposited in this Office, and that the same is a true and correct copy thereof and of the whole of such original.

In witness whereof, I have hereunto set my hand [SEAL] and affixed the Great Seal of the State, at the Capitol in Madison, this 13th day of February, 1857.

JOHN W. HUNT,
Asst. Secretary of State.

STATE OF WISCONSIN,
Madison, Feb. 4, 1857.
Senate Chamber.

Hon. James R. Doolittle.

MY DEAR SIR:—I have the honor to acknowledge your favor of this date informing me that the Hon. Wyman Spooner, Speaker of the Assembly, had made a certificate in the usual form, of the result of the election by the joint convention held on the 23rd inst., certifying that you were chosen Senator of U. S. for this

State, and inquiring of me, whether I would join in such certificate.

I must answer this inquiry in the negative for the reason that I regard all the votes given for you in that convention void under the constitution. I cannot, therefore, join in a certificate that you were chosen. My views were fully explained to the Convention, and constitute now as then the grounds of my action.

I cannot do more than to communicate to the Secretary of State the facts at length accompanied with the declaration that, in my judgment, no election has taken place.

Very Respectfully Yours,

ARTHUR McARTHUR.[3]

VIEWS OF LIEUTENANT GOVERNOR ARTHUR.

The following are the reasons of Mr. Arthur, president of the joint convention, for holding that the votes given for James R. Doolittle for United States Senator were void and not in order. They were announced to the convention by the chair at the time of the election. D. M.

The Constitution of this state provides that the Supreme Circuit Court judges "shall hold me no office of public trust, except a judicial office, during the term for which they are respectively elected, and all votes for either of them, for any office except a judicial office given by the legislature or the people, shall be void."

I think the only construction which this provision can fairly receive is, that it disqualifies the judges referred to, from holding any other office whatever during their judicial term, and that the disability extends to every other office of public trust,

3. Lieutenant Governor McArthur afterwards became a judge of one of the Washington, D. C., courts and was a prominent figure in national affairs during the war period. His son, Arthur McArthur, was a general in the regular army, later being promoted to the position of Lieutenant-General of the army. He did valiant service in the Philippines and was retired a few years ago and died recently in Milwaukee, Wis., ripe in years and with military honors well won. Two sons are now in the army and navy. Surely a worthy and distinguished family.

and the votes given either by the legislature or people for any office except a judicial one are declared void, the terms used in the provision referred to "no office of public trust" or "any office except a judicial office," would seem to include any office within the gift of the people or the legislature except a judicial office. Now the U. S. Senator is elected by the legislature at the time, place and in the manner prescribed by its own action. It is an office of public trust not judicial, every person, therefore, who has been elected a judge of the supreme or circuit courts, and whose term has not expired, shall hold no such office and all votes given for him are void. It seems very clear to me that the true tests are as follows: Is the office in question an office of public trust, not judicial? Has the person been, or is he one of the judges mentioned, and is the term for which he was elected not yet expired? If these questions are disposed of in the affirmative, the constitutional prohibition must apply, and the person so situated must be pronounced ineligible.

But it is contended that this prohibition extends only to state officers and cannot operate where the office is national like that of the U. S. Senator. But it appears that the state constitution makes no such distinction. That the office of Senator is one of public trust no one will deny, and it therefore falls within the express terms of the Constitution. It is not a judicial office and therefore a judge whose term is unexpired is constitutionally incompetent. It is filled by the legislature and therefore all votes given for such a person are void. The terms of the provision apply expressly to every office which is filled by an officer elected by the votes of the legislature or of the people, and to this there is but one exception, and that is the judicial office.

Now the framers of the Constitution have expressed what office should be exempt from the operation of this provision. They have said that a judge might be elected to judicial office, and with this solitary exception, to no office of public trust, and that votes given for him for any other office shall be void. They have expressed in the clearest possible terms that a certain class of our judges, during the term for which they are elected, are ineligible to every office in the gift of the people or the legisla-

ture, except a judicial one. They include any and every office in a universal prohibition, and then express a single exception of an office to which the judge may be elected. The fact that this exception of an office to hich the judge may be elected. The fact that this exception is so carefully stated, is a strong demonstration that all other exceptions are precluded.

It is said, however, that if this be the true construction of this provision, it is in conflict with the Constitution of the United States. The latter instrument in clause 3 of Sect. 3, and Article 1, provides "That no person shall be a Senator who shall not have attained to the age of 30 years, and been 9 years a citizen of the United States, and who shall not, when elected be an inhabitant of that state for which he shall be chosen." Upon this it is contended that inasmuch as the qualifications of a Senator are here stated, and no requirement that a person in order to be eligible must not be a judge whose term is unexpired, that therefore this disability, imposed by the state constitution is void.

The Federal Constitution is the supreme law of the land, but it does not necessarily follow that because it contains certain provisions on a particular matter that the States are absolutely prohibited from touching the same subject. There are certain powers which are expressly prohibited to the individual states, such as entering into treaties, granting letters of marque and reprisal, coining money, or emitting bills of credit, etc., matters upon which state action would be null and void. But surely the same think cannot be said with regard to powers that are not thus prohibited, more especially when we remember that the powers not delegated to the United States nor prohibited to the States are reserved to the States respectively, or to the people. There is no prohibition in the Federal Constitution to the state regarding the qualifications for Senators. It has provided for certain requirements for a Senator. Now, our state constitution does not undertake to act upon either of these requirements. It neither changes the age nor the period of citizenship, nor the residence. It declares that a certain class of judges shall be ineligible during the term for which they were elected. This cannot be said to conflict with the national instrument. It is

providing something additional only on the same general subject matter, and cannot the States do so?

This is not included among the powers which are prohibited to the States, and is therefore reserved to them or to the people the State, if deprived of this invaluable right, is deprived of it only by implication. A right cannot be divested by implication unless in cases where it is clearly in conflict with that which is to take its place. If both can stand then neither are to fall. The State Constitution was adopted by the people and the new policy of electing judges and disqualifying them from all other offices during their term of office received the popular approval.

The State was admitted with that Constitution, Congress recognizing it as being in conformity with the Constitution of the Union. This was a congressional sanction of all its provisions. It was like the voice of Congress saying to the people of this State which it had called into being, "we recognize your right to exclude your judges from any other office of public trust, and we admit you into the confederacy with that right." The Constitution therefore received the judgment of the people in its favor, and the approval of Congress, and is thus invested with all the authenticity of constitutional authority. Surely it is not for the people themselves or their representatives, to be the first to call its authority into question, or to deny its binding power in the discharge of official duty.

The Constitution of the U. S. nowhere provides that persons convicted of infamous crime shall be disqualified for the office of Senator, or to fill any other office. Will it be contended that the State has no right to say that such persons shall be ineligible to receive the votes of the people or of the legislature for that exalted station? The third section of article thirteen, of the Constitution of the State of Wisconsin declares, that no person convicted of any infamous crime, in any court within the United States, and no person being a defaulter to the United States, or to this State, or to any county or town therein, or to any State or Territory within the United States, shall be eligible to any office of trust, profit or honor, in this State.

Under this authority I would certainly withhold the certificate of election as a United States Senator from any person of this

description; for I have no doubt that the people have the right, in the fundamental law of the State, to declare that convicted thieves, defaulters, and murderers should be effectually excluded from office in the State, or as representatives of the State, in the National Councils. Sound morals favor such a provision, as sound policy dictates the exclusion of elected judges. If the State has not some power over the matter, then indeed is the doctrine of State Rights a sham and delusion. To hold that, because the Federal Constitution requires a certain age, citizenship and residence for Senators, that, therefore, the State cannot refuse to confer this important trust upon the most abandoned outcast, is a position to which I cannot subscribe. It is an argument of little weight that this power may be abused—the most undisputed power may be abused—but it is no argument against either their existence, or their exercise. We must have some confidence in the people, and their representatives, that they will not adopt measures of public policy, unless they are in accordance with the permanent interests and welfare of the community. It is not for me to anticipate what action the U. S. Senate may take. The members of that body have not taken an oath to support the Constitution of the Senate of Wisconsin; but we have, and our official obligations are to be discharged with reference to an additional standard of increasing responsibility.

They may ignore our Constitution but we would be faithless to our trust if the apprehension of such an example should lead us to ignore it also. Entertaining these views, I shall be constrained to regard all votes given for a judge of the Supreme or Circuit Court in the language of the Constitution—void. The difficulty in my mind, is to determine whether I have the power to declare them void as the presiding officer of this convention, and although I have some distinct views upon that subject, yet as further discussion might either strengthen or change them, I would respectfully invite the members present to favor me with their views.[4]

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4. The contributor's introductory note perhaps sufficiently explains Mr. McArthur's views in the light of recent congressional action as to the qualifications of the members of the national legislature. Certain it is that Judge McArthur's opinion is regarded as obsolete now.

New England and the Yazoo Land Frauds, 1795-1814

Read Before the Connecticut and New Haven Historical Societies

BY FORREST MORGAN, A. M.

Forrest Morgan, was born in Rockville, Connecticut, March 20, 1852, son ot Miles Chandler and Eliza P. Morgan. He was educated in the public schools and at a secondary school at Havana, Chemung county, New York. He became office boy in a physician's office and then entered that most excellent school for boys inclined to literary work, the printing office where he passed through the grades of printer's devil, compositor and proof reader to manager of a printing office of his own in Hartford, Connecticut, where he was entrusted with the managemnt of the printing and advertising department of the Travelers Insurance Company, and editor of the official journal of the company, the *Travelers Record,* a monthly magazine in a field which called into play the best qualities of printer, copy writer and editor. He conducted the department from 1882 to 1896 when he took up general literary work, adding the librarianship of the Walkman Library of Hartford to his literary duties. He edited Walter Bagehot's Works (1891); was associate editor of C. D. Warner's Library of the World's Best Literature; International Anthology; Universal Anthology; Encyclopedia Americana; Redpath's New Complete History of the United States, and he edited and contributed to that valuable historical work "Connecticut as a Colony and as a State," 1904. He was elected to membership to the Connecticut Historical Society, the New Haven Historical Society, the American Historical Society and the Hartford Scientific Society, and he received the honorary degree of A. M. from Trinity College, Hartford, in 1903.

He was married in Hartford, May 28, 1879, to Fannie M. Fisher, and they made their home at 227 Sigourney street, Hartford, Connecticut.

A MALODOROUS land speculation in the Gulf district over a century ago would seem on its face about as far as possible from the strict field of a Connecticut historical society, from any permament historic moment, and from any picturesque interest in recital. Neither idea is related to facts. The companies which engineered this earliest American transfer of public goods to private pockets acted on the just confidence of tapping, and most likely with the preliminary assurance of receiving Northern and principally New England capital, because there was not much other in the country loose for new investment. The more or less innocent

purchasers whose assignees finally got away with the plunder, most of them not innocent enough to endanger their constitutions, were for the same reason largely New England and very considerably Connecticut men; half their defenders in Congress were New Englanders, one a distinguished Connecticut lawyer; and the claims ended their course there in a wrangle over a Connecticut official. The U. S. Supreme Court's decision in the landmark case of Fletcher vs. Peck, which closed the struggle—a corner-stone of legal structure laid in mud, no new thing in history—was a fore-runner and index of that in the more famous Dartmouth College case won by Webster; the sheet-anchor of corporate security against the public which was then thought vital to stable society, and the most formidable foe to the public security against corporations which we now think more vital. The Yazoo business was one parent and impelling cause of the expulsion of the Cherokees and Creeks in the 1830's, and the creation of Indian Territory: a thing which, as with so many other historic events, no one can wish undone or find any good words for the doing. It was probably the only instance on record where a governing body sold public property to private parties by an ordinance embodying a fund for bribing themselves to pass it. The side of decency and equity furnished a stage for the abundant display of John Randolph's oratorical and parliamentary powers, more coherently and successfully used than his wont, and for those of colleagues who reveled in the opportunities for luxuriant vituperation; and the feuds thus roused brought upon the chief Georgian opponent of the fraud a shower of duels the last of which cost his life. On the other hand, its embodied impudence and scrubbiness was championed by greater and equally honest men, like Madison and Gallatin, with others of the best name; and by a last touch of paradox, the victory of this public scandal over the public was given by John Marshall. We shall not be wasting our time in reviving the details of this teeming case.

For preface, I need only recall the familiar facts that most of the colonies had charter rights to indefinite extension on the west, and that the vast unsettled tracts gained by the Revolution were claimed piecemeal by the states, as a mere aggregation of

their own property; a contention sustained by Marshall as an *obiter dictum* in Fletcher vs. Peck. The interference of these claims threatened to wreck the new Union at the outset, and had the effect among others of helping to keep out Vermont for years, because Virginia backed New York's claim to it in fear of prejudicing her own hold on the Kentucky lands. But at last the majority of the states, largely through the stubbornness of Maryland, which stood to gain nothing, ceded to the general government all beyond a handsome limit. Georgia offered a cession of about half of hers, but on terms which the government refused; though the mere money asked—$171,-428.45 for some 50,000 square miles, or about half a cent an acre—cannot be called high with all its defects of distance, Indian occupancy, and title. For in the latter there was a conflict, which however rendered an adjustment the more necessary. The district from the Chattahoochee to the Mississippi, comprising all the present states of Alabama and Mississippi, was claimed by both Georgia and the United States; the latter occupied the territory and set up civil government there, and the dispute was not settled till 1802, when the State gave up its claim for $1,250,000, the assumption of all claims against it based on the territory, and the promise of the national government to extinquish the Indian titles there as fast as possible. Meantime Georgia still asserted sovereignty over the whole, with rights of pre-emption to the lands as fast as the Indians were cleared off. What she owned and was selling for actual settlement was only from her South Carolina border, the Savannah, (and that only to somewhat above Augusta) west to the Altamaha and its eastern branch the Ocónee, with a desert strip of coast from the Altamaha mouth to Florida—not above a fourth of the present State.

The movement private and organized for taking up the vacant Western lands had begun long before the Revolution; indeed, it sprung the mine of the French and Indian war. It was stimulated rather than checked by the cruelly hard times during and after the Revolution: those with a little surplus money were anxious for profitable investments, of which there was a dearth; those without it were anxious to obtain, on borrowed money or

mortgage, cheap lands for a speculative rise, sometimes for actual settlement—which indeed, with the ever-rolling tide of youth from the great, old farming families who must have lands, was the solid basis of the whole. It is no paradox that the revival of prosperity largely increased its volume, the new money flowing in the channel of the old. At bottom, it amounted simply to the growth of the country always sustaining a "bull" movement.

The government's then policy of selling only in large blocks threw the movement entirely into the hands of exploiting companies and their agents, or great private adventurers and speculators. The Holland, Ohio, and Scioto companies are still well remembered here, partly from their association with Connecticut men familiar to us, like Wadsworth and Barlow, and St. Johnsbury, Vt., preserves the memory of an enthusiastic Frenchman who founded an Ohio Valley settlement much like Martin Chuzzlewit's Eden, where most of the settlers died of fever, famine, and miscellaneous hardships. It was not till 1796 that sections comprising a square mile, or 640 acres, were offered by the government, and even so only at two places, Pittsburg and Cincinnati, and only at auction; not till 1800 that it put an end to the huge old gambles and frequent frauds by selling half-sections at convenient places; and not till 1805 that the minimum was reduced to quarter-sections.

The Georgia lands for direct sale within the limits above described were very inviting, at least on the map, as penetrated by great navigable rivers; and the part not covered by military land warrants was rapidly taken up and planted with actual settlers. To the remainder even east of the Chattahoochee she could sell only pre-emption rights, which might not mature for many years; as the Cherokees and Creeks who then occupied a large part of the present State were very powerful, well organized, and fairly civilized; west of that it was still worse, as besides invincible Indian occupancy there was not even a clear State title to pre-emption. But this no more disturbed great speculators or little, anxious to operate each to the limit of their pockets or credit, than the worthlessness of a bogus mine at the present day: no individual of either had the least intention of

settling on them personally, but only of getting rid of them to strangers, and the worse the quality of security the better the speculation, as the initial price was lower and the field for gudgeons wider.

The favorite "deal" in this section for many years took as a lure the name of its western corner the Yazoo River district, from the Mississippi eastward. On the basis of *bona fide* settlement the bait is not very intelligible, at least to a Northerner and for Northerners: largely bottom lands overflowed part of the time and deadly with fever the rest; so far from civilization that even the Southerner Jefferson, in these days before railroads, declared it would be two centuries and a half before they would ever be settled, and he was ready to sacrifice their development indefinitely for free navigation of the Mississippi from Spain; in legal and governmentally guaranteed possession of the Choctaws and Chickasaws, the fiercest and most effectively organized of the Southwestern tribes; and with a more than dubious title even to pre-emption. But from the insistence of the smaller speculators on each having a few miles of the Mississippi shore, it would seem that the draw to buyers was enabling them to promise the next buyer (on whom each expected to unload) ability to float the produce down that river or the large navigable Yazoo; though in fact much of the companies' land had no more to do with either river than with the Potomac, few Northern buyers intended or wished to float anything down them, and all knew they would have no chance to do it. They did not care. The lands were mere gambling counters, and everyone understood it perfectly; but each hoped to pass them on at a profit before the bottom fell out.

Almost at once on the adoption of the Constitution, which gave both a great uplift to general prosperity and a feeling of better security in dealing with states, the long-drawn game began. A knot of speculators calling themselves the "Combined Society," with members sworn to secrecy like the Know-Nothings, banded to get a large land-grant out of the Georgia Legislature, obviously by means requiring secrecy. Such a secret was bound to leak, and its doing so of course killed the scheme. This was in 1788. But the next year the attack was renewed openly and

with surface legitimacy. The chief promoters were a "Capt." Sullivan, who as a sergeant at most had headed the soldiers who mobbed the old Congress at Philadelphia in 1783, and was now a fugitive from law in the Mississippi territory; and one Thomas Walsh *alias* Washington, a professional swindler and adventurer, who was hanged for forgery not long after. These set on better men to apply for grants. Walsh as Washington stood first in a group calling itself the South Carolina Yazoo Company, and including a Moultrie, a Huger, and a Snipes, the best of South Carolina names. At the same time applications were received from two other bodies: the Virginia Yazoo Company, headed by Patrick Henry, and the Tennessee Company, which was Zechariah Cox and others. It is odd and perhaps not purposeless that they represented three Southern states outside Georgia, though a few Georgians were shareholders. Their synchronism of birth, duplication of bait, amicable division of peculiar field, and firm accord of action, are hardly mere coincidence. They so effectively persuaded both houses of the exigency of selling off a full quarter of their waste lands, that within seventeen days the Senate had appointed a committee, the committee had reported, and the Senate had sent an agreeing draft to the House, which though engaged on a judiciary bill, set it aside with nearly all other business to hurry the land bill.

Aroused by the prospect of seeing outsiders monopolize such a melon, a body of Georgians formed the Georgia Company and asked for a grant also, offering a larger price and better securities; a curiously exact anticipation of 1795. The majority were not to be swayed or delayed. A motion to admit the new company was lost; so was one to ask a higher price for the lands; every amendment was voted down unargued; and within nine days the bill was passed, and shortly after signed, Dec. 21, 1789. An estimated 5,000,000 acres, now the central counties of Mississippi, were made the pre-emption right of the South Carolina Company; 7,000,000 on the Mississippi and Tennessee, now the northern counties of Mississippi, of the Virginia Company; and 3,500,000 along the Tennessee and Bear Creek, now Northern Alabama, of the Tennessee Company. The supposed 15,-

500,000 acres proved on survey to be over 20,000,000, or more than 31,000 square miles, about four times the size of Massachusetts; and it was sold for $207,581,—to wit, a supposed 1 1-3 cents an acre, plus an odd little extra in each case, $914.33 in all, not explainable. This does not seem to our much-bemillioned nerves an unlikely capital to be at easy Southern disposal; but in fact it was probably as hard to raise as twenty millions now, for business was petty and specie very scarce. There can be little doubt that the grantees had practical if not outright assurances of Northern sales in advance.

This trivial price in our eyes for such a realm, the promoters' admirable and suspicious ability in shutting out competitors and railroading through their own grant, the pedigree of the scheme and its progeny of 1795, not uncharitable suggest a similar partnership between the companies and the legislators. At the same time, it is fair to remember that the scale of price was much above that vainly offered to the government just before, and that the lands were incapable of speedy settlement, most likely of any within a lifetime, and the Legislature perhaps felt that it had rather the better of the adventurers in getting good hard money for domains in the air. And if it was a great sum to adventure in those times, it was proportionately important to the State treasury. Still, they were evidently not making the best bargain for the State. But the whole affair was a fiasco. The money was to be paid in two years; but the first partial tenders were in the State's own paper, which was at a discount, and the very object of the sale was to obtain a mass of specie. The new executive refused to receive it, and the new Legislature declared the sale void. The companies brought suits in equity against the State, in the U. S. Supreme Court, to compel fulfillment of the contracts; but while they were pending, the Eleventh Amendment to the Constitution was passed, forbidding the Supreme Court to take cognizance of any suit by an individual against a State. This left no recourse but the State courts, and appeals to the Legislature; and before any compromise was effected, the memorable legislative session of 1794-5 had turned the chief interest of the claimants into a new channel,

though they never ceased asking for their rights on the former contract.

Within the first dozen years after the close of the Revolution, nearly all the wild lands of the states, except these Southwestern "futures" had been taken up, the chief part by large companies or capitalists. Massachusetts' magnificent New York tracts and much even of her Maine woods, Connecticut's Western Reserve, New York's 7,000,000 acres, the immense estates and claims which Pennsylvania had confiscated from the proprietaries, had almost wholly passed to speculators, while Virginia and North Carolina had sold enough "in the air," or unlocated land warrants to be fixed later, to cover all their territory including Kentucky and Tennessee. The one great tract still available even to gamble with was the Gulf district; there must have been urgent pressure from Northern sources to renew the attempts; and the various balked groups with a new companion, all as closely united as before, opened a fresh campaign on the former lines with improvements.

The Georgia Company now took the lead. Its head was U. S. Senator James Gunn, a "new man" whose brassy eloquence and repute as Indian-fighter had raised him beside the old families, to their great disgust, not unjustified by his career. He managed the entire scheme for the whole, spending only the four last days of the session and his term in his Congressional seat, the rest being devoted to lobbying the land bill through the Georgia Legislature. His company took the upper half of the Yazoo district, with an immense block east to the Alabama and Coosa.

It is perhaps worth noting that while it paid just half the total price of the grants, it received about a third more than the others together; the differential may have been his commission. The next was a new company, the Georgia Mississippi, which extended eighty miles down the river from where the other left off, and east to the Tombigbee. This was chartered by Georgians also: the best known promoter was General Thomas Glascock, then or later commander of the State militia, former lieutenant under Pulaski at Savannah, in the Revolution. The third was the Virginia Yazoo renamed the Upper

Mississippi Company, and with new heads: the best known was the famous Wade Hampton, grandfather of the Confederate leader, able soldier and proud, stern old Southern oligarch, later the heaviest slave-holder and largest planter in the Union. It had a narrow block from the Mississippi to the Tennessee, now the extreme northern counties of Mississippi. Last of the successful ones was the old Tennessee Company, Zechariah Cox and others, who took their old quadrangle on both sides of the central Tennessee, now Northern Alabama.

Two others petitioned but failed. One was the old South Carolina Yazoo Company, which had sold out its rights to a still very famous Pennsylvania group,—Jared Ingersoll of Connecticut birth, State Attorney-General Albert Gallatin the Swiss, and Alexander J. Dallas, the Scotch West-Indian like Alexander Hamilton, later Secretaries of the Treasury. These asked only the privilege of paying up the old company's default and taking its lands; but they had no part in the combination and were not considered. Last came a great Georgia company, the Georgia Union, headed by Gen. John Twiggs, father of David E., the Mexican War and Confederate officer. This group wished to take up the entire section asked for by the Georgia and Georgia Mississippi Companies, and offered half a million dollars, $95,000 more than the other two; and they reserved twice as much for the "other citizens" of the State. From the result we may conclude that they did not reserve it for the right kind of citizens, and their bid was thrown out by two votes.

The four companies were joined in a bill whose very title has the familiar gamey flavor of so many statutory "jokers" whose nature is instinctively recognized by us all: "An act supplementary to an act for appropriating part of the unlocated territory of this State for the payment of the late State troops, and for other purposes therein mentioned, and declaring the right of this State to the unappropriated territory thereof for the protection and support of the frontiers of this State, and for other purposes." It supplementally protected the frontiers (this meant raising money to pay the State troops, whose dues were in fact only about six per cent. of the proceeds), and accomplished the other purposes, by transferring to the four com-

panies an estimated 21,750,000 acres for $500,000, some two and a quarter cents an acre. It was found on survey, perhaps to the surprise of both grantors and grantees, to contain some 35,000,000 acres, or near 55,000 square miles, five-tenths the size of New England and not much less than England and Wales, a real cost of less than a cent and a half an acre. But the apparent price is all that concerns this history. The companies themselves claimed and quite possibly sold 40,000,000, and in the Congressional debates it was always stated as 50,000,000, which a glance at State areas shows to be absurd.

The most notorious provision in the bill, however, has seemed to be misunderstood or its effect overstated. This was the reservation of 2,000,000 acres, in the end 2,580,000, for subscription by citizens not members of the companies. It was considered by the public as the one clause which safeguarded their interests and gave them a share in the speculation; the bill could not have passed without it, and the only complaint heard that it was much too small. The promoters in fact used it to buy votes, but they were not at all dependent on it, and could just as well have used the same amount had it not been reserved. What the provision did was to give the bill a virtuous appearance of public spirit and care for the general interests, and smooth its passage, while they selected their own public to let in. In effect it was a bribery fund embodied in the grant, but that was because the promoters chose.

The bill was forced along by a compact majority and sent to the governor, Gen. George Matthews, who was kindly warned by a joint letter from the leading promoters that a veto would have unpleasant consequences for him, and the bill would be passed none the less. He did veto it, however, on grounds of public welfare, which he should have adhered. The majority sent a committee of five to confer with him, having as figure-head Robert Watkins, the one unbribed member of the lot, who seems to have been the type of honest "easy mark" found so useful by political knaves in quieting the public. These talked him into withdrawing his veto by concessions which cost them nothing or enhanced the value of the bribes. Then by parliamentary strategy they so coupled the amended bill with the old one to which

it was supplementary, for paying the State troops and so on, which the people were very anxious to see go through, that they must stand or fall together. This roused a fresh commotion, and the Georgia Company increased its bid to $800,000, with 4,000,000 acres reserved for each party, State and citizens. No attention was paid to it, and the bill was driven through in three days and signed by the governor; though the Senate had passed it by only one vote, and though within that time he had received a fresh petition from a body of citizens headed by the young Wm. H. Crawford, then a school teacher in Augusta, later Secretary of the U. S. Treasury and candidate for President, urging the veto on fresh and strong grounds.

The passage of the bill was the signal for a rapidly mounting storm of wrath all over the State. It was alleged by the companies, in their pamphlet defenses later, that the entire excitement was aroused by disappointed applicants for shares at par, and in a large sense this was probably true; but so far from exculpating them, it is a weapon held by the blade, which cuts the fingers of the users. Pretty much all applicants were disappointed, precisely because the reserved acres had mostly been used up for the only class of citizens whom the promoters had in mind, members of the Legislature, and the fact that there was nothing left was just what turned suspicion of foul play into certainty. The promoters' greed in not letting in a respectable share of outsiders, in fear of lessening the value of the speculation, not only caused the tempest and justified it, but revealed the secret. The small reservation complained of had been quite large enough for its real purpose; bluntly put, some $37,000 had been invested in bribery to gain a grand speculation with $500,000. Indeed, the dealers had been so careless of covering their tracks, that a government investigating committee a few years later discovered, merely by comparing the companies' list of shareholders with the Legislature's voting record on the bill, that every member who voted for it had taken the bribe, except poor Watkins, who had the usual and eminently proper requital of Poor Dog Tray, in Noah Webster's story. The method of bribery was the one familiar to us all: the company assigned the member his shares, called for no payment, and

when they had risen to whatever height he wished to cash in at, paid him the difference, sometimes fifty times his nominal investment.

And here I would say the first palliating word for their quite indefensible malfeasance which in a hundred and twenty years they have ever got from any one but themselves. They were bribed, but I think it decently probable that they considered themselves as bribed to do what they were more than half justified in doing anyhow. The national government claimed and held the whole territory, and it was odds that the State would get anything if it waited. Trivial as the price seems to us, it was on the surface much more than the previous one and about what Massachusetts received for hers, and might well be thought pretty much all the land was worth for settlement. To be sure, it was not wanted for settlement but for speculative sale; but while private holders could work the speculation for all there was in it, the State could hardly job the land to advantage in the same way. They knew they were selling their official honor and duty, but I doubt if they felt themselves altogether selling the interests of the commonwealth. They were "coming in for a good thing," but a good thing the State could not come in for to the same extent, perhaps to any extent. Their action was illegal, grossly improper, impossible to condone as a precedent; but perhaps not in their eyes rascally. They may have thought it something like a clerk's taking a commission his principal cannot get: the doorway to stealing, but not quite stealing itself.

But even this lukewarm explanation, which is no excuse, leaves a heavy enough load of just opprobrium. Even as a business proposition we must remember what the petitioners and the next year's rescinding committee showed, that there was no need of selling at all just then: the State had more than money enough in its treasury at that moment to pay the frontier militia, it was absurd in any case to part with an empire for so paltry a debt, and the interests of the State imperatively demanded that they hold off for a while. They knew perfectly well, or they would not have come into the scheme at all, that land values, even "futures," were rapidly rising every year under the swarm of new young couples, the new prosperity, the

new savings clamoring for investment and speculation. And while the State under the then policy could not market the lands in small lots, nor in any event sell to homesteaders because it could not give possession, it was certain to receive a much higher price by waiting, and indeed was offered a much higher one on the spot. That $300,000 was clear steal. As to the title, the government was certain to buy out Georgia and not simply force her out, and in fact paid her several times this price.

As the public feeling rose, bitter personal recriminations and newspaper warfare evolved into duels even to the death, and presentments by grand juries. The members kept at home as much as might be; Gunn was burned in effigy, and in some counties dared not show himself at all. A State convention to fix on a capital and for other purposes met in May, and was greeted by a deluge of petitions and memorials on this business. These it turned over to the new Legislature in the fall, and that body was the product of the public feeling we have seen. The legislators who passed the bill had been retired; and while they had previously re-elected Gunn to the Senate, his colleague Gen. James Jackston had resigned and been elected to the Legislature to head rescinding measures. He with others as a committee drafted an act which was almost unanimously passed, and was signed by the new governor, Jared Irwin, Feb. 11, 1796; and which for radical thoroughness cannot be matched in our history.

The preamble, while most exhaustive and effective, was a curious jumble of relevant and irrelevant matters, and omitted the crowning argument of the legislators bribery, because it could not be legally proved. But there was no irrelevance or verbiage about the executive clauses of the act. It revoked the sale utterly, and directed the repayment of the purchase moneys to any of the companies which applied for them within eight months; after that the remainder was to be adjudged "derelict," and forfeit to the State. All evidence of the passage of the act was to be expunged from the text and indexes of all public records, documents, and deeds, State or county, which if in custody of State officials must be brought in within three days for recession, and all private contracts arising out of these

sales were ordered canceled and destroyed, and forbidden to be renewed or admitted into the courts.

The act itself was ordered publicly burned. This was done by building a bonfire in front of the capitol, where both houses attended in a body preceded by a deputy of the Secretary of State and the committee bearing the engrossed act, and surrounded the fire; the committee handed the document to the President of the Senate, who examined it and handed it to the Speaker of the House, who examined it and handed it to the clerk, who read the title aloud and handed it to the messenger, who lifted up his voice with—"God save the State! and long preserve her rights!! and may every attempt to injure them perish as these corrupt acts now do!!!" and put it in the fire, while the members waited solemnly till it was consumed. The affecting legend that an enthusiastic member would not allow it to be destroyed by vulgar fire, but drew down that of heaven with a burning glass, is not sustainable by evidence.

Two years later the provisions of this act were embodied in the revised State Constitution, which however ordered the land companies' money to be held subject to their call; the sale to the government in 1802 of course released this. This Constitution also forever prohibited sales of lands to companies or individuals until counties were laid out, so that settlement and civil government should not be retarded.

And here must be inserted a fact which, if an anti-climax, is too characteristic of American good nature, short memories for grievances and even swindles, and perhaps just recognition of the compensation balance in human qualities, to be omitted. Not only—what the companies and their interested defenders made an argument for their guiltlessness—was no one ever brought to trial on this charge, nor any official removed or any punishment or disability inflicted on that ground, but even with the public it did not in any way, after the first explosion of anger, prejudice the members, continuance or rise in public life and positions of trust. One of them became President of the Senate, four others became senators, two were made judges, and one a trustee of the University of Georgia, besides lesser places. The lasting ill-savor of the case is not in contradiction

of this it is familiar that acts are disliked long after persons are forgiven.

The promoters and their agents had at once started North to market their goods, though beyond doubt they had made advance bargains for great blocks. For the rest, like all vendors of shady securities, they knew that the farther from home they went, the less questions would be asked and the more eager would be the rising to the hook. Anything is believable of a speculation a thousand miles off of which you know and can find out nothing, while the same near by would be scrutinized with the utmost vigilance. It is probably not so much credulity as a just confidence that your neighbor will ask just as few questions, and you can shift it to him without loss; though neighbors run out after a while. The agents penetrated to every corner of New England, as thoroughly as steamship company touts now do to every European hamlet; it was later charged, and I wish it were more improbable, that Northern men of position were hired as decoy ducks by gifts or bogus sales of huge shares. New England and the Middle States went wild over the new speculation, which replaced the almost exhausted ones; they took it in the same immemorial fashion as to this day, often not inquiring or caring where the lands were, and only later going to investigate, or clubbing together to hire an agent to look them up, when transfers lagged or annoying skeptics questioned.

Foremost among the second-hand dealers was the New England Mississippi Company, formed very shortly after the grant, which bought 11,000,000 acres, apparently the bulk of the Georgia Company's holding. Connecticut had its full share of the speculators. Among them were a Suffield throng—the once noted Oliver Phelps, (Gorham's partner in the 2,200,000-acre Massachusetts purchase, a chief buyer of the Connecticut Reserve, and the opener of the first land office in the country), and some of the myriad Grangers, including Gideon, afterwards Postmaster-General; and two Coventry men, Ashbel Stanley and Judge Jeremiah Ripley, joined with these in an unmeant tie. Phelps and Gideon Granger went surety for Stanley on 750,000 acres of land in one tract (he also held 100,000 as assignee), supposedly with Ripley, who disallowed his name;

Stanley went bankrupt, and the bondsmen had to make good the $75,000, which they did by selling 670,000 acres of the lands and other large properties. He was far from the only victim of the mania. Many small people ruined themselves as always, taking all their savings for old age, for homes, for their children, to put into this vortex, and being compelled to let go with loss of all.

But they were no more entitled to public relief beyond strict legality than any other body of pigeons, past or future: they took a perfectly known risk, were not buying lands but "chips" and "futures," and were not wronged if they never received what they neither paid for—since had the lands been open for settlement they would have sold at no such price—nor wanted except to shift upon another gambler. The notorious Georgia uproar and rescinding procedures must obviously have been known point by point to the Northern capitalist groups embarked in the original quest, including those left out of the deal, and were not likely to remain unknown to their relatives and friends and business acquaintances. The larger purchasers at least knew positively that their title was worthless in equity, and could only be sustained in law by a costly, long-drawn, and dubious suit. We have not to rest even upon presumptions: the evidence of knowledge was on every deed given by the companies. They had no intention of risking their hard-earned profits by suits for recovery, their customers would not be driven away by a risk they never intended to retain, and a clause in each provided that no "act or pretended act" of Georgia should avoid the sale, or be used as a plea in action of title against the sellers. The buyers in turn drew their own deeds in the same way; and one who did not read the document for which he paid his savings, often his whole possessions, or if he read it did not inquire what the clause meant, can hardly be thought entitled to plead innocence or lack of notice. I confess absolute inability to imagine what notice means if not what was given. But its exact force is perhaps knowledge too high for laymen, who cannot always attain unto it. The companies did. They took care not to wait for any legal pronouncement on their rights before disposing of at least enough lands to make their required payments to the

State, certainly millions of acres before the rescinding act was passed.

But there was no need of hurry in fear of buyers being frightened off by the mere trifle that they were buying wind: the lands themselves under the circumstances were little better had the title been unquestioned; and the speculators no more wanted them in possession, or cared whether they ever got them, than a curbstone broker and his customers do regarding the copper or oil on whose shares they bet. They bought voraciously, and nearly or quite all the companies had to sell, not impossibly more, long and long after as well as in the very teeth of the State's revocation of its grant, its dramatic destruction of the act and mutilation of its records, and even after the new Constitution had left no ground for a suit in the State courts or appeal to a Legislature, while suit in the national court had long been barred; and regardless of deeds plainly telling them there was nothing to buy. I do not believe there was an innocent third party in the whole body, in an equitable sense. They took the counterfeit lands exactly as they might counterfeit money, to pass on, making no inquiries: it is true, most of them on the faith of larger men, who were decoys in fact as always, if not with intent. And from the original grantees down, they passed them on to such good profit that the final compromise claim of those who could unload on no one else was for 25 cents an acre, against the original 1 3-7; even if the claim was with interest, it was a dozen times the first price, and was supposed to be only a fraction of what the final holders paid. We have seen that even a direct and immense buyer like Stanley paid seven times the company cost, and a high and fair authority says the average for small lots was fifteen pence, or about 22 cents, fifteen times the original. Allowing for expenses, bribes, decoys, and all, the four companies cannot have cleared less than three millions out of the "grab," and probably much more; what amount changed hands in all is beyond computing.

But the hungry and often desperate host, so large and obviously of such moneyed mass that it wielded formidable political power—were now turned over to a far richer and more promis-

ing source than Georgia, and indeed the only one possible to give relief; to wit, the national government, with whom they had a strong body of influential and interested advocates, even in the executive departments. Georgia after 1801 had two anti-Yazoo Senators—Jackson who was back in Gunn's place, and Abraham Baldwin of our own Guilford, Joel Barlow's brother-in-law, founder of the University of Georgia. But Congress had plenty of ex-Yazoo speculators who were genially willing to help their victims recoup themselves at the nation's expense, among them bad helps.

When the U. S. in 1802 took over the Alabama-Mississippi lands under the cession before noted, of course all claims against the State based on this territory went with it; the compact confirmed all the State's legal grants there, and there was a further provision that not exceeding 5,000,000 acres should be reserved for the satisfaction of "other claims" if Congress acted upon them within a year; otherwise they reverted to Georgia. This included rights of old settlers before the Spanish evacuation, those of later squatters, Georgia claims of 1789, and those of 1795. The latter of course enormously outweighed all the rest, and Randolph afterwards alleged that the provision was inserted on the urgency of the U. S. commissioners against the wish of the Georgian. This is too likely to need doubting, and he professed to have his information at first hand, thought his assertion is not worth much.

On Feb. 16, 1803, the commissioners reported on the claims. They were James Madison of Virginia, Secretary of State, Albert Gallatin of Pennsylvania, Secretary of the Treasury; and Levi Lincoln of Massachusetts, Attorney-General. This was a good sectional division, and the more representative that each must have had also at heart the intersts of a large circle of relatives, friends, and business connections, as well as men of political influence, either claimants or ex-sellers to claimants. They recommended liberal treatment of old and new squatters; and disallowance of the claims of 1789, as a bargain justly voided for non-compliance with its terms. The holders of 1795 title, they said, claimed to be, and in a way were, innocent purchasers without notice,—the lawyers Madison and Lin-

coln might accept this as a technical truth, but only politics accounts for the merchant Gallatin doing it; that as such their claims ought to be recognized and compromised; that it was necessary for the interests of the U. S. and the peace of the territory under dispute—that is, of course, to avoid years of law suits between holders under Yazoo and U. S. titles, and perhaps bloodshed, unsettling the district and embroiling the inhabitants, as with the Wyoming lands in Pennsylvania even at that time; that they would accept 25 cents an acre (an estimated $8,000,000 altogether),—seventeen times what the companies had paid and on less land, and the lambs were dreadfully shorn at that,—or not to exceed what the best 5,000,000 acres in the territory brought at the highest selling price. The commissioners had bowels, however, about asking the national treasury to make good all the losses from reckless folly and credulity, and recommended as an equitable adjustment the payment of not exceeding $5,000,000, or $2,500,000 in interest-bearing certificates, payable from the proceeds of the first land sales, on all claims filed within a year. From the assumed avails of the reserved land, $1 an acre, it is evidently understood that they were to be specifically located in the choicest spots and the highest price taken. The government might of course have simply executed the contract and turned over the lands themselves; but under the new homestead laws they naturally wished to settle and control the lands themselves, and there were squatter rights to consider and not entangle. An act was passed by Congress embodying these recommendations.

A shower of claims poured in; chief among them that of the New England Mississippi Company, which had appointed Gideon Granger, the Postmaster-General, as its agent to present and watch the claims before Congress. That we have made some advances in official propriety at least, if not official honesty, within a century, is inferable from the fact that such an official at present would never dream of taking such an agency, or any concern dream of asking it. No one but Randolph ever questioned Granger's honesty, and he had at present no interest in the claims; and declared that the "last Attorney-General" (Lincoln) had told him he saw nothing objectionable in it. None the

less it was unfortunate for Granger, who could gain nothing and was dragged through the mud and for the company, which lost grounds by the fresh handle given for attacks, and the side-tracking of the main issue in an assault on Granger.

Randolph had been in Georgia during the turmoil of 1795, and imbibed to the full the feelings of his anti-Yazoo friends; he was also convinced—partly from dislike of New England, and partly because no claim lobby is ever free from a tainted atmosphere of attempted if not accomplished bribery,—that the New England Company was pushing its claim through Congress in just the same way as the Georgia Company had pushed its grant through the Legislature. He was very far from alone in this, though no actual suspicion ever attached to any individual. The time for filing claims expired Jan. 1, 1804, and a bill was prepared and referred to Committee of the Whole, making the required appropriation for paying them. Randolph, seeing that its passage was probable, determined to head it off. He had already made a motion that no claim arising under the Georgia act of 1795 should be considered by Congress, which seems to have been tabled. He now, Feb. 20, withdrew it and presented a new one with eight clauses, to the same purport, but embodying the entire argument on which they were based.

They were in substance: first, that no Georgia Legislature had any power to alienate the public domain except lawfully and for the public good; secondly, that when any rulers have betrayed the people's confidence for private ends to the public detriment, the people have a right to revoke their authority and abrogate the act of betrayal; third, that by evidence before the House, the act of Jan. 7, 1795, was passed "under gross and palpable corruption by the grantees of the lands, to enrich a few persons, and ruinous to the public interest;" fourth, that reciting its solemn revocation and extirpation; fifth, that any Legislature has the right, so far as not forbidden by the Constitution, to repeal any act of a previous Legislature; sixth, that this was not so forbidden; seventh, that these claims were not recognized by any governmental compact or act; eighth, "therefore, resolved," that none of the 5,000,000 acres reserved for claims against Georgia be used for any claims under "any

act of pretended act" of Georgia during 1795—phraseology obviously copied from the gamblers' deeds as to the act of 1796.

It was voted to consider the resolutions and refer them to Committee of the Whole, and a fort-night later the struggle began between them and the bill, by a motion of Randolph's for a vote on the former. As argument was not likely to change any votes, and the airing of the scandal would have a bad effect on the home prospect of the bill's supporters, they resolved to keep the matter in Committee of the Whole where debate was secret, and carry the bill by a rush vote if they had numbers enough.

Samuel L. Mitchill of New York objected that the resolutions involved Congress in an interference with the sovereignty of Georgia, which included the right of granting lands; that it was none of their business to pronounce whether its Legislature had acted wickedly or uprightly, and they had occasions enough when duty required them to give an opinion, without going out of their way when it did not. They were not a board of constitutional censors.

Randolph was evidently much embarrassed by this aspect of the case, as well he might be: the most extreme supporter of State Rights, he was taking the lead in action which made the national government supreme arbiter not even in a contest between two states, but in the internal dissensions of a single State. He steered wide of this issue at first, and his rather tame and prolix opening seems to indicate that he was sparring for time while half his mind thought out a justification. When he did have his defense fully in hand, it was ingenious, and a rather pretty point of logic: namely, that by acting on the claims at all, the government was necessarily deciding between the right of the Legislature of 1795 and that of 1796 to call itself the people of Georgia: it was assuming to control the State's sovereign rights as much in acknowledging the claims as in denying them, for the sovereign State after creating them—the recognition of its right to do which brought the case before us at all, —had then most solemnly disbarred and disowned them, and we could not refuse to recognize its sovereign right to do that, too.

He went on to read his resolutions clause by clause, with pungent comments in support of each, but never got farther than

the fourth clause. Three days later, March 10, his motion for taking up the resolutions was countered by James Elliott of Vermont for the order of the day on the bill. Andrew Gregg of Pennsylvania, anti-claimant, moved to postpone consideration of the resolutions to December. He was quite prepared to vote on and against the bill, but it was late in the season and important business was pressing. The Speaker, Nathaniel Macon of North Carolina, ruled for Randolph's motion, which was carried; then John George Jackson of Virginia, pro-claimant, again moved a postponement. Many of both sides shrank from a final battle at the moment. Richard Stanford of North Carolina asked to have it apply to each clause in the resolution separately, which Randolph approved.

Caesar A. Rodney of Delaware, anti, opposed postponement: he wished the resolutions passed. The claim that we had no jurisdiction and nothing to do with the act of 1795 surprised him. What! we are called on to compromise claims, and are not to decide whether they are founded in justice? We are asked to give five millions on claims emanating from the act of 1795, and we must know its validity first. The exact point is whether the act of 1795 or 1796 is in force. If the former, the claimants are entitled to all the millions the lands are worth; if the latter, to nothing. (Randolph had made this point earlier). As to the right of a Legislature to repeal the acts of a previous one, both had the same source and the same powers, and what one did another could undo. The distinction drawn between the right of repealing mere legislation and annuling contracts was one only of expediency, not of justice. The Constitutional prohibition against impairing the obligation of contracts had no relevance, for there was no contract. The evidence was clear that the claims were based on sheer corruption and had no legal validity; if we gave anything it would be from compassion and not from justice, and were not "the straw shed of the war-worn soldier who bled in defense of our rights, the comfortless hut of the war-made widow," equally fitted to excite compassion and with prior claims on justice?

Randolph's kinsman Thomas M. of Virginia took up the same line, with an affluence and floridity of denunciatory rhetoric which

left his more famous relative well in arrears. Indeed, John Randolph's oratory owed its terrors to something besides mere vituperation, the cheapest of gifts. He had an uncanny power of finding a raw spot and rasping on it, either to flay opponents or keep his own side up to the mark, but a cognate acuteness in seeing the vital spot in debate or tactics. I must reluctantly omit the glories of T. M.'s litany, except one passage which I give because it is a perfect specimen of its ornate and rather tumid class of oratory, because under its over-decorated flowers of speech it is quite true and accurately descriptive of all such affairs, and because it specially concerns New England—"the moment his (the governor's) irresolute hand gave the illusive sanction to the vain and ineffectual deed, this ravenous pack of spectators, keen with the hunger of avarice, unkenneled and scoured the whole peopled territory of the Union in quest of their appropriate game—the simple, the credulous, and those who are hoodwinked by the excess of their own cupidity. The most voracious of them sought the great cities, where numbers of the thirsty sons of gain became their prey, while numbers more joined in the promising chase, led the way to the victims, and fattened on their spoil." (Anglice, decoys). Many more fell in their nature, though less keen in their appetites for gold" (in street phrase, liking to catch suckers), "traversed the tranquil country of New England, scenting the homely purses which hung in the smoky corner of peaceful cottages, into which the solitary dollar had been dropped with religious punctuality every week, perhaps every month only, by the hand of the provident father, from the time when the first birth under his roof gladdened his heart. Great numbers of these receptacles of hard-earned gain, with all their rusty treasure, the fruit of long-continued industry and frugality, destined to ensure to many of the rising race the innocent joys of a life of wholesome exertion in their own fields, (I trust all who have hoed corn in a New England field appreciate the poetry of this description) were devoured by them, and that happy destiny in a moment changed for a short period of certain pain, and too probable vice, in the moving prisons of the ocean." (To wit, unable to buy farms, were compelled to go to see).

The question was then taken itemwise on the postponements; and it was plain that Randolph had put his opponents "in a hole." The Yazoo party had first to vote down postponement, then to vote down the resolutions, then to pass the claim bill. But they had at best only a slight majority, and suppose the resolutions squeezed through? That killed the bill for good, for they would never dare reintroduce it. They were afraid to risk it, as he had foreseen. The first resolution, that the Legislature could only alienate its soil for the public good, was useful for the gallery, and was saved by one vote. The second, on the right of the people to revoke a corrupt bargain, was a black eye to the bill, and was postponed by two votes. The third evidence of corruption in the act of 1795, was directly fatal to the bill, and postponed by five. The fourth to the seventh, mainly recitations of facts, were by agreement voted on in block, and postponed by three. Then the final declaratory clause was postponed by three.

Randolph had won a substantial victory with a technical defeat. His resolutions were carried over to December, but as the bill could not be taken up till they were out of the way, that was carried over, too. It remained to be seen whether the claimants gathered political strength during the year.

They did not, and the final vote taken shows the same five majority as their best in the previous session; but even that was evidently a broken-backed one, unsafe to risk for a definitive issue, to which in fact they never dared quite bring it. Nor did they dare continue their first policy of keeping silent and relying on a brute count: Randolph and his adherents had made their case so odious, and their championship of it so suspicious, that their public lives would not be safe if they persisted in not publicly justifying themselves. It is at least notable that every speaker on their side was a Northern man, and that the Pennsylvania delegation was divided.

The debate began Jan. 29, 1805, in Committee of the Whole as before, on resolutions submitted by the Committee on Claims to appoint commissioners to settle the Georgia claims. Samuel W. Dana of Connecticut moved to rise and report it. Randolph asked him to assign some reason, as the committee gave none,

and their preamble was flatly opposed to their recommendation. Dana tartly replied that it was the committee's business to state facts and let the members do their own reasoning; that no reasons would satisfy every one, and certainly none would satisfy Randolph, and it was idle to expect impossibilities from them. His motion was carried by eleven. Joseph Bryan of Georgia had the rule read which restrains interested persons from voting. A motion to consider the report was carried by thirteen.

Christopher Clark of Georgia then moved as an amendment Randolph's old proviso that none of the 5,000,000 acres should go to the 1,795 claimants. Dana said the report on the table was made on the application of these very claimants; that the amendment was simply a denial of their petition, and therefore a mere substitute for the resolutions agreed to, and out of order. Speaker Macon ruled that the resolutions related to claims in general and the amendment to a special set, and it was therefore in order. After some dilatory tactics and the loss of two motions to adjourn by the anti's, Randolph opened a lengthy speech with a gibe at the Yazoo men for going into secret session whenever the Yazoo "abomination" was to be practiced. "This is one of the subjects which pollution has sanctified; the hallowed mysteries of corruption are not, to be profaned by the eye of public curiosity." His well-justified sneers at the New England claimants for pleading innocence, and his denial that the government had pledged itself to them, we will pass. At the end he fell foul of Granger. The first year of his service in the House, the Connecticut Reserve Act swindled the nation out of three or four million acres of land to relieve "innocent purchasers." One of these was one of the New England Mississippi Company's agents, who seemed to have an unfortunate knack at buying bad titles. His gigantic grasp stretched from Lake Erie to the Bay of Mobile. Millions of acres are easily digested by such stomachs. The retail trade of fraud and imposture yields too small and slow a profit to gratify their cupidity: they buy and sell corruption in the gross. This officer, possessed of how many snug appointments and fat contracts, let the voluminous records of the mere names and dates and sums declare, having an influence that pervades every part of the Union; with offices in his gift

amongst the most lucrative, and at the same time the least laborious or responsible, under the government; this officer presents himself at your bar, at once a party and an advocate. Sir, when I see this tremendous patronage brought to bear upon us, it strikes me with consternation and dismay. Are heads of executive departments to be brought here, with all their influence and patronage, to extort from us what was refused at the last session?

The next day the defense, galled beyond endurance, took the field, in the person of Elliott of Vermont. He made a forcible plea, not for the equity of the claims but their legal strength. First, Congress had no power to pass on the validity of State acts. Then, all law writers made a distinction between laws creating contracts, which are irrevocable, and mere municipal acts, which are repealable at will. Next, no judge could listen for a moment to evidence of legislative corruption, in a trial of title. Hence, the claimants had so strong a color of title that it was prudent to extinguish it. As to committing a robbery on the people's patrimony, we were simply devoting part of a tract for which the U. S. never had paid and never would pay a cent to keeping the public faith. And for Granger, his office did not deprive him of a citizen's right to petition the government, and the matter of influence was most unluckily set up: three members of the Committee on Claims had contracts, and two of them opposed the bill.

John B. Lucas of Pennsylvania, and Clark the author of the amendment, spoke in its favor. Wm. Eustis of Massachusetts on the other side, denied that his constituents knew of the frauds when they bought. Two pro-claimant speeches in the most remarkable contest followed: from Jackson of Virginia, with the stupidest speech of either session, containing not a single fact or argument new or old and not even a declamation,—a curio of empty wind,—and Wm. Findlay of Pennsylvania with the ablest of either session. He brought out strongly the fact that the State's bad title was suspected at the time of causing its haste to sell. As to fraud, the power of decision in all civilized countries was vested in courts of justice; but these had not been called in here to try any of the alleged bribery cases, and

the accused members enjoyed the same public confidence as ever. There was no U. S. precedent for a Legislature's declaring a predecessor's acts void, not merely repealing them; and so long as we respect the Constitution, we cannot admit that such a body can annul a predecessor's contracts. The Legislature of 1796 had made a laudable effort, but no court by acting on it had acknowledged it to be law; and after its passage, Congress had taken possession of the lands and arranged to compensate the claimants.

Again for the amendment, Andrew Gregg of Pennsylvania was followed by Randolph, who was indirectly more successful than he can have expected. In his final speech he once more assailed Granger, with a mass of general denunciation, but this time with the direct charge that he kept a "jackal," who had tried to buy over an anti-Yazoo member, Randolph's own friend and informant, with a contract, and refused it when the consideration was declined.

This brought from Granger a letter to the Speaker denying the charge absolutely, and asking an investigation. It reads to me quite respectful and proper: but an angry and bitter discussion arose, whether it was not disrespect to say that a Congressman's statements were untrue, (!) and whether Congress or the President were the right party to address; and a wrangle in which all the argument and fairness, on the Yazoo (and therefore pro-Granger) side, was finally closed by Matthew Lyon on that side, who said that he should not have his good opinion of Granger altered by the braying of a jackass or the fulminations of a madman. It is needless to say that this description was meant for Randolph.

After a little more speaking which adds nothing to the argument, a vote was taken, oddly not on the amendment, but on the resolution itself of the Committee on Claims; and carried by five votes. It is significant that the pro-claimant majority was composed of 46 Northerners and 17 Southerners, and the minority of 50 Southerners and 8 Northerners—or 51 and 7, as there is a John Smith I am not sure of. At a later day a bill was introduced for compromising the claims; but the House majority were sick of the unsavory conflict and its possible effect on their

prospects at home, and it was never acted on. The fatal weakness in the case outside a court was the one seized and harped upon by Randolph and Rodney, that a compromise had no logical basis: if the claimants had any right at all it was to the whole, and the five millions should be indefinitely more, and if a compromise why five rather than two or one?

Randolph had won his fight, so far as any unforced governmental action was concerned. For several years the claimants took fresh action, except gradually to sell out their claims to shrewd speculators, as they grew unable to hold on, or hopeless of any profit from it. The new buyers had resolved to do what the old ones should have done at the outset, try a mock case in the highest court in reliance on their legal position. Finally in 1810, five years after the Congressional fight was given up and when nearly all the original claimants had parted with their rights at nominal prices, the new group set up a collusive suit in Massachusetts. One Fletcher recited that he bought 15,000 acres between the Mississippi and the Tombigbee from John Peck, who with Benjamin Hichborn bought 400,000 acres from Oliver Phelps, who bought 500,000 acres from Nathaniel Prime, who bought a larger tract from James Greenleaf, (Robert Morris' old partner in the North America Land Company which bankrupted them, and who afterwards, when the city of Washington was decided on, bought 6,000 building lots at $80 apiece, and grew rich and settled there), who bought it in 1795 of Gunn's Georgia Company, and sued Peck for breach of warranty in falsely alleging a right in the Legislature of 1795 to sell, and in professing title when the bribery of the Legislature rendered it void.

The case was carried on error to the Supreme Court of the United States; and there in 1814 John Marshall delivered the unanimous judgment of the court sustaining the claimants at every point. It will be noted that the suit was cunningly based on a sale of 1795, before the rescinding act; still, the deed of 1803 must have contained the provision covering the seller from responsibility for the "pretended act" of the Legislature of 1795. It would be well worth while to give and to discuss a careful abstract of this memorable decision, with its reasons and

illustrations; but I am not addressing a law school, nor should I have any fitness for such a task. It is enough to say that Marshall held a contract made by the legislative authority of a governmental body absolutely irrepealable, as did the Dartmouth College case later; and evidence of legislative corruption, something which no court could admit. The only remedy for this, such as it was, lay in the people themselves, who might punish their agents, but could not reclaim the property they had embezzled, or the obligations for the future under which it laid their principals, even if it ruined the commonwealth.

This conclusion is so shocking that even a layman may shelter himself behind such names as Alexander Johnson and Henry Adams, with others of eminence, to question whether even Marshall is wholly infallable, grotesque as it seems to follow John Randolph instead of John Marshall. After all, the people are one of the parties to such a contract and it would seem cannot direct themselves of common-law rights and the basic right of existence. But I must deny myself the privilege of any further comment. I will only finish the narrative by saying that under this decision, $8,000,000 was appropriated by Congress to compensate a body of men who had probably not spent $500,000 in acquiring the claims, and in legal and other expenses, and made for more than the original grantees without spending anything for bribes or decoys; and it would be most interesting to know what fortunes were founded upon this public plunder, and who is now leading a nice and happy existence upon the avails.

History of the Mormon Church

By Brigham H. Roberts, Assistant Historian of the Church

CHAPTER CV

Indian Treaties—The Black Hawk War—Indian Troubles of 1872—The Corinne Affair.

THE year 1865 is notable chiefly for several treaties made with the Indians and for the commencement of what is known in our annals as the Black Hawk war.

Of the treaties the most important was the one negotiated at the Spanish Fork Indian Reservation farm, in June, 1865, by Col. O. H. Irish, then Superintendent of Indian Affairs in the Territory; and at which Brigham Young and many other Church leaders were present; and in which the Mormon leader participated.

The year previous, 1864, the United States Congress had passed enactments providing that the Indian title to agricultural and mineral lands in Utah be extinguished; that the lands be laid open to settlement; that the Superintendent of Indian Affairs collect as many of the tribes as possible in the Uintah valley, and appropriating for Indian agricultural purposes the sum of $30,000.[1] Hence this movement for a treaty with the Utah Indians to remove into Uintah valley by Col. Irish. Uintah valley is in the eastern part of Utah, south of the Uintah range of mountains; "the tract enclosed the whole region drained by the Uintah river and its upper branches, as far as its junction with the Green River."[2] The proposed reservation is estimated to have

1. Acts of 38th Congress, 1st Sess., pp. 67-8; also Acts of the 2nd Sess., same Congress, pp. 16-17; and House Ex. Doc., 46th Cong., 3rd Sess., xxvi, 971-3.
2. Bancroft's Hist. of Utah, p. 635, note 88.

contained at least two million acres, much of which was well adapted for agriculture and grazing purpose, which together with its timber lands and water power, make it one of the best sections of Utah.

The treaty negotiations were held on the 7th, 8th and 9th of June. The principal chiefs present were Sowiette,—now very old—Konosh, Tabby, Toquone, Sanpitch "and eleven other chiefs of lesser note, with a large crowd of Indians, among whom were bands of the Utes, the Pahvants, Timpanogos and the Cumumbahs. Dimick B. Huntington and Geo. W. Bean were the interpreters."[3]

On the morning of the 7th Col. Irish presented an abstract of the treaty, which summarized was as follows:

"The Indians are required to move to Uintah valley within one year from the ratification of the treaty, giving up their title to the Indian lands in Utah Territory; they are required to be peaceful, not to go to war with other bands or tribes except in self-defence, not to steal from or molest the whites, to assist in cultivating the lands and to send their children to schools to be established for them. On abiding these conditions, the protection of the U. S. Government will be extended to them. Government will pay them $25,000 annually for the first ten years, $20,000 annually for the next twenty years thereafter. Farms will be made, a grist and lumber mill built, schools established, houses built for the principal chiefs, annuities paid to the chiefs, and other provisions of a beneficial character are guaranteed.

"The Indians are likewise to have the right of hunting, digging roots and gathering berries on all unoccupied lands, to fish in their accustomed places and erect houses for the purpose of curing fish."[4]

The chiefs appeared reluctant to accept this proposition liberal as it was. Chief Knosh led in the discussion on the part of the Indians. He modestly suggested that he was but "a boy," but Sowiette was an old man and could speak, he could not. Still he managed very well. He expressed confidence in Col. Irish,

3. *Deseret News* of June 14, 1865. Besides Brigham Young there were present of the Church leaders John Taylor, Wilford Woodruff, Geo. A. Smith, F. D. Richards, presiding Bishop of the Church, Edward Hunter, A. O. Smoot, Mayor of Salt Lake City, besides military leaders and prominent citizens from the immediately surrounding settlements and some from the Sanpete settlements.

4. *Deseret News*, Vol. xiv, p. 292.

the Superintendent of Indian Affairs. "He had always talked with one tongue, but the others had talked with two;[5] they had lied to the Indians; would Col. Irish always talk one way? Brigham had always talked with one tongue, they knew him, and he had never lied to them, but he had always spoken the truth and been their friend. What did he say about it? They did not want to sell their lands and go away; they wanted to live round the graves of their fathers."

Sandpitch[6] followed him and spoke rather bitterly, manifesting a strong opposition to the treaty.

President Young then talked to the Indians. He must have experienced one of the keenest moments of joy in his life when these chiefs of the red tribes of men declared their confidence in him, and appealed to him in their helplessness for advice. "He recalled his counsel and advice to them in the past," says the meagre current account of the event, "and advised them to sign the treaty and accept the provisions guaranteed in it for their benefit." "The effect of his advice," said the *Deseret News'* correspondent, in narrating these events, "manifested itself in a few moments, most of the chiefs being strongly inclined to act upon it at the time, but [chief] Tabby counseled waiting a little to calm their minds, so that they might act without any excitement or feeling."[7] To this the rest agreed, and the signing of the treaty was postponed until the 9th, when fifteen chiefs affixed their "mark" to the document—Chief Sowiette's being the first—which released their claims upon Utah lands excepting the reservation in the Uintah valley.[8] President Young, in a second talk to the red men, strongly advised them not to punish the innocent for the misdeeds of the guilty; and if any of their own or other bands should commit depredations, then catch the guilty ones and deliver them up to the authorities of the whites for trial. Advice with which

5. This doubtless with reference to Dr. Forney, see this History, ch. xcviii.
6. Sanpitch was brother to Chiefs Walker and Arapeen. *News* Editorial of June 14th, 1865.
7. *Deseret News* of June 14, 1865.
8. Sanpitch would not sign. Apparently standing on his "dignity" as a "big chief." On the 10th, however, he manifested a willingness to accept the treaty, but Col. Irish with the paper had left the Reservation Farm; but opportunity was promised the chief of signing it later.

they appeared much impressed.[9] "As a faithful observance of their treaties has ever been a characteristic of the Indians here as elsewhere," said the *Deseret News,* editorially commenting on this treaty, "we have no doubt of their honorably keeping this, if it is not infringed upon by reckless whites."[10]

On September 18th Col. Irish met with a large number of the Piedes, and several of their chiefs from Washington and Iron counties, on Pinto creek, southern Utah, near the Mountain Meadows. There was a generous distribution of gifts including cloth, blankets, hoes, spades, etc., also beef and flour. The Superintendent appointed Tutsegubit as their head chief; after which the "Pow wow" broke up and the bands departed for their homes on the Sevier and the Rio Virgin respectively.[11]

Chief Black Hawk and a number of sub-chiefs were not present in any of these treaty and peace meetings, but were in open hostility to the whites. What was known as the Black Hawk war had begun on the 9th of April, 1865, under the following circumstances: "A number of Indians under the leadership of the eldest son of the late chief, Arapeen, and generally known as "Jake rode into Manti, in Sanpete county, and evinced rather a boisterous desire to have a "big talk," manifesting bad temper and boasting that within the last few days they had killed fifteen head of stock. Angered at these boasts, and also affected by being intoxicated,[12] a citizen of the name of John Lowery roughly took the Indian "Jake" by the hair of his head and dragged him from his horse, using threatening language the while, and finally going to his house for a pistol with which to shoot "Jake." Before his return the Indians had departed in a great rage.[13] The following day a party of citizens rode out on the stock range

9. See *Deseret News* report of proceedings, impression of June 21st, and Editorial of June 14th, 1865.

10. Impression of June 14th, 1865.

11. *Deseret News,* Vol. XV, p. 5. How Col. Irish was appreciated as Superintendent of Indian Affairs in Utah may be judged by the following comment of the *News* on the above treaty. "Were government always so fortunate in the appointment of officers as it has been in the case of Col. Irish, we should hear much less of Indian difficulties; for then the customary defrauding, abuse, and other gross wrongs would cease in transactions with the red men. *Id.*

12. Whitney's Hist. of Utah, Col. 11, p. 187.

13. Narrative of H. H. Kearns, respecting the Indian difficulties in Manti, Sanpete and Sevier Counties, copied into Hist. of Brigham Young, *Ms.* entries for April, 1865, p. 220, *et seq.*

south of Manti to ascertain how far the boasts of the Indians as to stock killing might be true. Near Twelve Mile Creek they ran into an ambush of Indians and one of their number, Peter Ludvigsen, was killed, but the rest—the party numbered nine—escaped by making a hasty retreat. The same day, the successful Indians on Twelve Mile Creek sent word of the beginning of hostilities to a band of Indians camped on the outskirts of Salina, in Sevier county, whereupon they broke camp and hastily moved into Salina canon. Finding two white men in charge of the stock belonging to the citizens of Salina they killed them, horribly mutilated their bodies,[14] and taking possession of the stock herds, retreated further into the depths of the canon.[15] They were followed up the Canon on the 12th by Col. Allred of the Utah militia with a company of eighty men. This force was ambushed and driven precipitously from the canon by the Indians, with the loss of two men and several horses killed,[16] and some arms and forage captured.[17]

This was the opening of hostilities between the white settlers and Indians in southern Utah which continued through several years, and was the most disastrous to the white population of all the Utah Indian wars. The chief events of the war,—following those above stated—through the years 1865-6-7, are thus summarized by the historian of the Church of that period, Geo. A. Smith:

"May 26th the Indians made a descent upon a family named Given, in Thistle valley, twelve miles from Fairview, in Sanpete county, and massacred the father, mother, and four children, having the evening previous killed Jens Larsen. On the 29th they also killed David H. Jones.

"In July, Robert Gillespie and Anthony Robinson were killed and several citizens wounded. These Indian massacres, which were generally accompanied by raids on cattle, rendered it necessary for the inhabitants of Sanpete, Sevier, Piute, Millard, Iron, Beaver, Kane and Washington counties to guard their stock with mounted, armed men.

"In January, 1866, a band of Indians made a descent upon the

14. Kearn's Narrative, Hist. of Brigham Young, *Ms.*, 1865, pp. 223-4.
15. Their names were Elijah B. Ward and James Anderson.
16. The names of the men killed were William Kearnes and Jens Sorenson.
17. Kearns' Narrative, in Hist. of Brigham Young, *Ms.*, 1865, pp. 224-7.

Pipe Spring Ranch, in Kane county, killing J. M. Whitmore, the proprietor, and Robert McIntire, and robbing the ranch of cattle and sheep. The ranch of 'Pahreach' was also robbed, and besieged for several months. Peter Shirts barricaded his house, and by strategy and unceasing vigilance, with the aid of his family, managed to evade the blows aimed at him until relieved by Captain James Andrus and a company of mounted volunteers from Grafton.

"April 2nd, Robert Berry and wife, with his brother, Joseph, were way-laid and massacred at Short Creek, Kane county.

"On the 22nd, Albert Lewis was killed, and three persons wounded, near Marysvale, Piute county; and on the 29th, Thomas Jones was killed, and Wm. Avery wounded at Fairview, in Sanpete county. On the 10th of June, the Indians made a raid on Round Valley, driving away three hundred head of cattle and horses, and killing Father James Ivey and Henry Wright. On the 24th, Charles Brown was killed and Thomas Snarr wounded in Thistle Valley; and while recovering the horses and cattle driven off from the Spanish Fork pasture, John Edmiston, of Manti, was killed, and A. Dimick, of Spanish Fork, badly wounded.

"Early in 1867, the continued hostile intentions of the Indians were announced in the massacre of James P. Peterson, his wife and daughter, near Glenwood, Sevier county, who were mutilated in the most horrible manner. The vigilance of the militia of these counties, assisted by detachments from counties as far north as Salt Lake and Davis, so far held the Indians in check, that during the entire year there were only three other citizens killed and three of the militia, *viz.*, Lewis Lund, James Meeks, Andrew Johansen, Major John W. Vance, Sergeant Heber C. Houtz, and Private John Hay.

"In consequence of these Indian raids and massacres, the counties of Piute and Sevier were entirely abandoned, as well as the settlements of Berrysville, Winsor, Upper and Lower Kanab, Shunesburg, Springdale, and Northup, and many ranches in Kane county; also the settlements of Pangwitch, and Fort Sandford, in Iron county."[18]

The settlements abandoned because of these Indian troubles numbered in all twenty-seven or eight. In Sevier and Piute counties "six extensive and flourishing settlements"; "four settlements on the borders of Sanpete county were broken up;" "fifteen settlements in Iron, Kane and Washington counties;"

18. Rise, Progress and Travels of the Church, by Geo. A. Smith, 1869, pp. 29-30.

"besides two or three small settlements in Wasatch county."[19] Writers on Utah history quite generally regard the "Black Hawk" war as closing with the depredations of the year 1867, but hostilities were continued by part of Black Hawk's following, though that chief no longer led them, through the summer of 1868. In April of the last named year Bishop Frederick Olson and a party of settlers enroute to re-occupy Richfield, abandoned the previous year, were attacked at Rocky Ford of the Sevier river, between Salina and Richfield, two men were killed and others wounded, and some stock taken.[20] Several raids on stock herds followed, one at Scipio on May 7th, and another near Ephraim; nor were all the hostile Indians engaged in this war quieted until the treaty of Strawberry valley was negotiated by Col. F. H. Head, Superintendent of Indian Affairs for the Territory, in August, 1868. In the previous summer Superintendent of Indian Affairs, Col. Head, succeeded in getting an interview with Chief Black Hawk and obtained his promise to refrain from further hostilities on the whites, and that he would use his influence to have the war entirely stopped, a promise, it is generally believed, he kept, though at the time of making it he expressed his fears that some portion of his following would continue their depredations, which they did through the summer of 1868, as proven by the attacks upon the settlers at Rocky Ford, and the stock raids in Sanpete county. With the withdrawal of Black Hawk from the conflict, however, it is doubtless proper to consider the Black Hawk war as ended, especially as the militia from the northern counties returned home, and such service as became necessary to check Indian depredations in 1868 was rendered by the citizens in the vicinity where they occurred, and are not accounted in the official reports of the "Black Hawk" war.

The treaty with the out-standing chiefs after the retirement of Black Hawk from the conflict in 1867, was an important event. As already stated it was negotiated in Strawberry valley in August, 1868. The Indian Chiefs concerned were Augavorum, Ta-

19. Report H. B. Clawson, Adjt. Gen. of Nauvoo Legion-Militia of Utah Territory to John M. Schofield, Sect. of War, Feb. 9th, 1869. The report became a state document.

20. See *Deseret News* of the 7th and 11th of April, 1868.

21. See Adjt. Gen. Clawson's Report to Secretary of War John M. Schofield, dated Feb. 9th, 1869.

maritz and Sowahpoint. The first named, though young and said to be feminine looking, was the principal chief; "though the second," (Tamaritz) said the *Deseret News'* account of the treaty meeting, "has been the prime mover in several of the raids made on our settlements, and in the murders of whites which have been before time accredited to Black Hawk. He was of the party who murdered Major Vance and Sergeant Houtz, and was at other places where whites were killed."[22]

The conference with the chiefs occupied "nearly all day." The Indians had many complaints to make against the white settlers and were not easily persuaded to make peace. They told with great deliberation the "killings" in which they had participated. Black Hawk was present, and exerted his influence for peace, and finally all the chiefs concluded to "bury the hatchet"—to be at peace with the whites. A treaty was accordingly drawn up and signed by the chiefs and the officers representing the Indian Department of the government.[23]

At first not more than fifty or sixty warriors of these renegade Indians had been engaged in the war,[24] but their several successes at the beginning of hostilities drew to them the disaffected of other tribes than those to which the original renegades belonged, until at the close of activities in 1865, when Black Hawk withdrew for the winter to the Colorado, near the junction of Green river with that stream, he had over a hundred warriors, notwithstanding he had lost about forty men in the several engagements of the year with the settlers. He could furnish all recruits to his ranks with horses, and with plenty of beef from the herds of cattle he had stolen—"strong inducements to Indians," said the Indian Superintendent in his report. About one-half of Black Hawk's recruits came from the Navajoes of New Mexico,[25] and continued desultory depredations in southern Utah, even after the treaty of 1868 with the last out-standing chiefs of Black Hawk's bands.

At the outbreak of the war Col. Irish applied to General Con-

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22. *Deseret News,* weekly, of Aug. 26th, 1868.

23. Report of Dimic B. Huntington, Hist. of Brigham Young, *Ms.* entry, 22nd of Aug., 1868, p. 1015.

24. *Deseret News* report of the treaty proceedings, impression of Aug. 25, 1868.

25. F. H. Head, Supt. Indian Affairs, in Ind. Aff. Report for 1866, p. 124.

ner at Camp Douglas for "a sufficient force to protect the settlers and to arrest the offending Indians.[26] This was declined. Col. F. H. Head who succeeded Col. Irish as Superintendent of Indian Affairs, also applied to Federal military authorities for assistance but without avail. "I have, after consultation with Governor Durkee," said Col. Head in a letter to the commissioner of Indian Affairs at Washington, "desired Colonel Potter commanding the United States troops in this district, to send two or three companies of soldiers to that portion of the Territory (i. e. the south part) to protect the settlements and repel further attacks. Col. Potter has telegraphed to General Dodge for instruction in reference to my application.[27] General Dodge answered: "General Pope telegraphs that the superintendent of Indian affairs will have to depend for the present on the militia to compel the Indians to behave at Salina."[28] Although this answer came through General Pope, it was General Sherman, then commanding the Department of the Plains, who ordered the answer to be made.[29]

Seeing that they must rely upon themselves a sufficient number of companies of the militia of the territory were ordered out to protect the settlements in the threatened zone, and compel the Indians to sue for peace. In the accomplishment of this purpose the Territory was called upon to bear a heavy burden, which it

26. Annual Report of O. H. Irish, Supt. of Ind. Aff., Utah Territory, Sept. 9th, 1865, to the Com. of Ind. Aff., Washington, D. C., published in the Report of the Sec. of the Interior, 1865-66, p. 314. In this report Mr. Irish said: "During the past year the Indians have been peaceful, with the exception of the difficulties with a band of outlaws in San Pete valley, mentioned in my letter of the 28th of April last. At that time I requested the military authorities to send a sufficient force to protect the settlers and to arrest the offending Indians. This was refused, and the settlers were left to take care of themselves." See also Report of Adjutant General H. B. Clawson to the Secretary of War, under date of Feb. 9th. It will be found in the House Ex. Doc. of that year. General Connor replied "that if the depredations were committed upon any settlements remote from the mail line" he could give no assistance. Utah Legislature Memorial to Congress, cited in Clawson's Report. Bancroft mistakenly represents that the Utah militia were employed for this service because the California volunteers were disbanded. (Hist. of Utah, p. 632). Stenhouse explains that orders had been given by the Secretary of War to disband the volunteers, in the spring of 1866; but owing to the Brassfield homicide in April of that year—dealt with later—the order was countermanded until the volunteers could be relieved by regular U. S. troops. (Rocky Mountain Saints, p. 616).

27. Col. Head's letter bears date of 30th April, 1866, and will be found in the Government Report of Indian Affairs for 1866, pp. 128-130.

28. The Telegram is contained in Col. Head's letter to the Indian Department at Washington, *Ibid*, p. 130.

29. See Memorial of Utah's legislature to Congress, date of Feb. 21, 1868, in Laws of Utah, 1868, p. 36.

was customary for the Federal government to bear since the Indians were wards of the general government, and subject to their jurisdiction. It was the government's place to restrain them from mischief, and to punish them for depredations committed. The expense of the Black Hawk war as reported from the Adjutant General's office of the Territorial militia was as follows:

"Recapitulation of expenses incurred by the Territory of Utah, in the suppression of Indian hostilities in said Territory in the years 1865, 1866, 1867, estimated:

1865, 500 men, 3 months service including supplies	$45,000
1866, 2,500 men, 6 months service including supplies..	695,000
1867, 1,500 men, 6 months service including supplies..	450,000
Total	$1,190,000

ESTIMATED LOSS IN STOCK.

1865, ...	$75,000.00
1866, ...	60,000.00
1867, ...	35,000.00
Total	$170,000.00

Estimated loss by breaking up and vacating about 20 settlements in Sanpete, Sevier, Piute, Kane, Summit, Wasatch, and other Counties in Utah Territory, $175,000. Total, $1,535,000.00.

KILLED AND WOUNDED DURING THE 3 YEARS WAR.

1865, 25 persons killed and eight wounded.
1866, 25 persons killed and seven wounded.
1867, 25 persons killed and three wounded.

From the best information obtained about seventy-five Indians killed and 5 wounded,

ADJUTANT GENERAL'S OFFICE, Salt Lake City, Utah.
Dec. 25th, 1868.[30]"

30. Hist. of Brigham Young, *Ms.* entry for 23rd Dec., 1868, p. 1485. The above document is accompanied by the following note to the Church Historian: *Pres. Geo. A. Smith*:
Dear Brother, Agreeable to promise I have the honor to hand you the above.
Very respectively,
(Signed) JOHN R. WINDER. *Id.*, p. 1486.

In the Utah Militia Adjutant General's report to the Secretary of War, before alluded to, the total expense as per a recapitulation sheet forwarded therewith amounted to $1,121,037.38. The memorial of the Utah legislature of 21st of February, 1868, also sent with the Utah Adjutant-General's report, ask congress to "appropriate $1,500,000 to compensate the citizens for their service, transportation and supplies in suppressing Indian hostilities in the Territory of Utah during the year above named"—i. e. 1865-6-7. Compensation for these services has never been granted by congress, although the Governor of the Territory, Charles Durkee (a non-Mormon), certified that the accounts were just; that the service of the militia as per the account rendered, was absolutely necessary, and therefore had been approved by him.[31]

But what was worse than refusing to compensate the citizens of Utah—which is equivalent to saying the Latter-day Saints of Utah, so overwhelming was the preponderance of their number at the time—was, that after being told they must depend upon the Territorial militia to compel the Indians to behave, the mustering of their militia into service for that purpose, was interpreted to mean that the Mormons were finding "new means to organize and drill the militia of the Territory, and to provide them with arms, under the auspices and authority of the Mormon Church;" and that "an open conflict with the representatives of the government is apparently braved, even threatened!" Such is Mr. Tullidge's interpretation of the passage quoted from Mr. Samuel Bowles' "Across the Continent;" and if Mr. Bowles

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31. Following is a copy of the Governor's endorsement:

"Executive Office, Utah Territory,
"Salt Lake City, January 9, 1869.

"I, Charles Durkee, Governor of Utah Territory, do hereby certify that the military service rendered by the militia of this Territory, comprised in the foregoing accounts, was absolutely necessary, and was therefore sanctioned and authorized by me at the times specified, and that the accounts are just.

(Signed) "CHARLES DURKEE, *Governor.*"

Adjutant General Clawson's Report to Secretary of War John R. Rawlins, date of Feb. 9th, 1869. The only recognition that the Black Hawk War veterans have ever received is the long-delayed recognition represented in the appropriation by the Utah State legislature of $50,000 in the session of 1912-13. Acts of the Utah legislature for that year.

does not mean to make such a charge then the passage in his book is meaningless.[32]

The close of the Black Hawk war marked the end of Indian troubles in Utah for all time except for a threatened renewal of hostilities by Indians who became dissatisfied with the management of affairs at the Unitah reservation, and deserted it, returning to their old haunts in southern Utah. This in the spring of 1872. In addition to a number of minor offenses they killed two men and wounded a boy during the summer; and on the night of September first stole about forty head of horses from Fountain Green. In his report to the U. S. Special Indian Agent, Geo. W. Dodge, under date of September 7th, Lieut. Colonel (afterwards General) Henry A. Morrow, commanding at Fort Douglas, and who with United States troops had gone to Mt. Pleasant to give protection to the settlers and return the Indians to the reservation—said:

"These Indians came to the settlements early last spring, and remained in them until I arrived with troops. Their conduct towards the citizens was arrogant, domineering, and dictatorial. Indeed, it assumed finally the air of a conqueror towards a subjugated community. They entered private dwellings at all hours of the day and night, and compelled the women to cook meals for them 'at all hours,' often prescribing the dishes they wished served. In addition to this they were impudent beggars. I am not sure but it would be more proper to say they were impudent robbers, for their demands for food and presents were usually made with weapons in their hands to compel obedience to their

32. The passage occurs in his "Supplementary Papers" published in his "Across the Continent," 1866 (p. 391), where he states that since the visit of the Colfax Party to Salt Lake City in June, 1865, the leaders among the Mormons had "repudiated their professions of loyalty to the government;" and in addition to which "New means are taken to organize and drill the militia of the Territory, and to provide them with arms, under the auspices and authority of the Mormon Church; and an open conflict with the representatives of the government is apparently braved, even threatened." As the only purpose for organizing and drilling the militia in those years was for the purpose of making ready to defend the people in the southern settlements of Utah, that action is seized upon by Mr. Bowles, Editor of the *Springfield* (Mass.) *Republican,* and member of Mr. Colfax's Party in a journey across the continent, and made to mean preparation for resistance to the general government! A most absurd thing in itself, but worthy of notice here because of the prominence of the party with which Mr. Bowles was associated —Mr. Colfax, at the time being speaker of the House of Representatives in the American congress, and later Vice-President of the United States; and also because of the subsequent relationship of Mr. Colfax to the anti-Mormon agitation of 1869-70, of which more in the proper place.

exactions. After plundering the people in their homes, they entered upon a stematic course of horse and cattle stealing, which resulted in the loss, to the inhabitants of Sanpete alone, of more than 200 head of horses and as many head of cattle. To prevent this, an attempt was made to guard the herds more closely. This was not to be submitted to by the Indians, who killed two of the herders, and wounded several others. This state of things had gone on until one of the highways of travel between Sanpete county and the settlements on Utah Lake had to be abandoned, and people went armed to their fields and about their villages. Patrols were established, and when Col. Hough, of my command, arrived at Mount Pleasant, he found almost a reign of terror among the people, who welcomed his soldiers as deliverers. I think I may say with truthfulness, that there is not another American community in the nation which would have endured half the outrages these people endured, before rising up as one man to drive out the savage invaders at the point of the bayonet. On any principle of self-defense, they would have been justified in doing this.

Now sir, I have given you a plain statement of facts, and I desire to invite your attention, and through you the attention of the Indian Department, to the justice and propriety of making this people some recompense for their losses. This may be done, I believe, from the appropriation made by Congress for these tribes. It is only an act of simple justice to the poor people who have suffered so severely that it should be done."[33]

To this communication the special Indian agent made a detailed statement of his procedure during the summer of 1872. From that statement it appears that the Indians gave the following reasons for leaving the reservation:

"1st to visit their friends, the Mormons, to exchange friendly greetings, and trade with other Indians; to worship the Great Spirit near the resting place of their fathers; and to receive compensation for the use of their lands, now occupied by Mormons and miners.

2. The Uintah Indians urged still farther that they had no means of subsistence at the agency.

3. That the agent and his employes treated them harshly, even preventing them from laboring when they asked the privilege.

4. That the agent did not give them the goods and provisions that government provided for them.

33. Gen. Morrow's letter is published in *Deseret News* of Sept. 25, 1872.

5. That the government had not carried out the promises made to them in the Spanish Fork Treaty."[33½]

At a meeting in Salt Lake City, held July, at which there were present Gen. B. R. Cowen, Asst. Sec. of the Interior, Hon. John S. Delano, Chief Clerk of the Interior Department, J. N. Turney, Civil Commissioner of Indian Affairs, Geo. L. Woods, Governor of Utah, Hon. J. B. McKean, Chief Justice, and others, it was determined that the renegade Indians must be immediately returned to the reservation, "peaceably if possible, otherwise to call upon the military to force them back." To this end a meeting with the hostiles was held, at which, through the Interpreter, Judge Geo. Bean, of Provo, the Indians were urged to return to their agencies. "Every argument that I urged to induce them to return to their agencies," said the special agent "was stoutly resisted, they stating in addition to the reasons already assigned, that, as the Spanish Fork treaty was never ratified, therefore, the land of Utah occupied by them before the coming of the white man, was theirs, and that the white man was only occupying the same by their permission. They also urged that they had, the night previous, received a revelation from the Great Spirit, that they might remain away from their agencies two months longer, when the "Voice from the West" would appear to them, and give instructions about their future course."[34]

A second council meeting was held with the Indians on the 14th and 15th of July, at Fountain Green, and on the 16th one with a large band of Navajoes and Kapotas from the Elk Mountain region beyond the Colorado. At these meetings the Indians were more insolent than ever. So insolent were they that special agent Dodge "found it necessary to issue an official order forbidding the citizens furnishing them any supplies whatever, hoping that they would thus be compelled to leave." This course had no such effect. The presence of a military officer with the agent was interpreted to be a declaration of war against them,

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33½. *Ibid.*

34. *Deseret News* of Sept. 25, 1872, where Dodge's communication appears *in extenso.*

and they determined to resist all efforts to return them to their agency.[35] Several chiefs reported that they could no longer control their people, and at this point the matter was turned over to the U. S. military authority in Utah—to Lieut. Col. Morrow. He met with Chiefs *Tabiana, Angitizebl, White Hare* and others representing the one hundred renegades who had left the reservation, and by firm but kindly words he persuaded them to return. They declared, however, if food were not provided on their arrival they would not stay at the reservation. "The necessary papers were signed by the chiefs and the council broke up with friendly feeling."[36] In addition to the military authorities present at this counsel there were Elder Orson Hyde, of the council of the Twelve Apostles, Bishops Seely, Tucker, and Olsen of Sanpete settlements, Col. Allred and a great number of settlers.[37]

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35. The mountain Indians have always been suspicious of, and angered by the presence of the military at their peace council meetings. In addition to the above incident, on the occasion of the treaty meeting held at the Spanish Fork Indian Reservation Farm, in June, 1865, the appearance of a troop of soldiers engaged in making the new mail-road in the vicinity nearly upset the whole proceedings of the treaty-making meeting; and only on the strong assurance of both President Young and Col. Irish that the soldiers were not coming to the council, and would not attack them, could they be induced to proceed with the meeting next day. *Deseret News,* June 14, 1865.

36. General Morrow was deserving of great praise for the manner in which he managed this delicate situation without a "war," and he received it from both special Indian Agent Dodge and the *Deseret News.* The former said: "The promptness on the part of government, and your own decisive and politic course, have brought the Indians to accept the terms of the government without bloodshed. I can but congratulate you, sir, the government, the citizens and myself, on the success of your expedition and negotiations. I beg you to accept my grateful acknowledgment for so cheerfully carrying out that part of the programme belonging to me." (Letter in *Deseret News* Sept. 25, 1872). The *News* editorial said: "The success which has attended the expedition of General Morrow to Sanpete and his conferences with the Indians at Springville and Mount Pleasant is a matter of congratulation to those concerned and of satisfaction to the public. The entertainment of Indians in Sanpete and in other counties adjacent has for years been a heavy tax upon the settlers and sometimes upon others who have gone to their assistance. As the government purchases the land from the Indians and the settlers pay the government for the portions respectively occupied by them, upon the government and not upon the hardy adventurous settlers should come the burden of rendering the Indians such support as may be advisable. The settlers have ever acted upon the old maxim that it is better to feed than to fight the Indians, have endeavored not to resort to hostilities when it could be reasonably avoided, and have ever been ready to make and maintain peace with the red man." (*Deseret News* of Sept. 18, 1872, p. 490).

37. The *Sacramento Union,* for October 1st, in commenting on Indian troubles in various states, refers also to the troubles in Utah and gives the substance of a conversation between Brigham Young and Secretary Delano (Chief Clerk of the U. S. Interior Department) in the following passage: "It has been told us that in a

In addition to returning the Indians to the reservation Col. Morrow suggested, since he had not power to comply with all the demands of the Indians, that a delegation of the chiefs be sent to Washington, accompanied by the special commissioner, to present their grievances to the President of the United States, a proposition that was cheerfully accepted and acted upon, though some dissatisfaction was apparent over the personnel of the delegation. Col. Morrow selected as members of the delegation *Tabby, Kanosh, Toquoneah, Ankershap,* and *Douglas*—"All known to be men of influence among their people, "said the *Deseret News,* in commenting upon their selection, "well disposed towards the whites, and anxious to preserve peace." For some cause unexplained, however, when the special commissioner departed for the east—Oct. 17th, 1872—he took with him, instead of the five chiefs named by Col. Morrow, *Anterro, Veyeahoo, Tabuner* and *Wanderrodes.* Two of this number were said to be "among the most unruly and dishonest among the Indians in Utah Territory, and among the ring leaders and promoters of the late raid."[38]

Special Agent Dodge left word for Kanosh to follow his party, accompanied by Mr. Lyman Wood of Springville as interpreter, "but as the agents took along notoriously bad Indians, instead of those appointed by Col. Morrow," Kanosh declined to leave the Territory and returned home. George Bean who had been selected as interpreter for the Indians could not make the journey on account of sickness and the party left without an interpreter. The Indian chiefs had their interview with President Grant;[39] and whether it was the effect of that interview, or of the impression created upon the minds of the chiefs by the extent of the country and the overwhelming numbers of the white race, which revealed the uselessness of further conflict with the white men,

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late interview with Secretary Delano, Brigham Young informed the Secretary that if the government would give him the use of $4,000 he would do more with it to pacify the Sanpete Indians than the agents with ten times the amount; and that Delano replied that he believed the statement." The *Union* article complete is reproduced in the *Deseret News* of Oct. 16th, 1872.

38. *Deseret News* Editorial of Oct. 23, 1872.

39. See *Mill. Star,* Vol. XXXVII, p. 132.

may not be determined, but the Utah Indians never again renewed hostilities. And, moreover, a year or two later, there began a religious awakening among the Indians that resulted in many admissions into the Church—several thousands of them—by the ceremony of baptism, that, to say the least, was remarkable.[39½] But for all these baptisms, the work of developing Christian character and civilized habits in the Mountain Indians of the west is a slow and toilsome process, and so far with but few examples of satisfactory success.

One of the effects of this movement among the Indians was to revive the hue and cry of a Mormon-Indian alliance for sanguinary purposes against the non-Mormon or Gentile population of the Territory. Especially was this the case in relation to the movement in the Malad valley. In an account of the settlements and cities of Utah in 1873 Stenhouse wrote: "There is but one Gentile commercial city in the Territory, Corinne, a very enterprising town situated on the Central Pacific Railroad, about six-

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39½. On the 2nd of June one hundred Goshute Indians were baptized at Deep Creek in Tooele county by an Indian interpreter, Wm. Lee, and three other Elders who assisted him. (*Deseret News* of June 3rd, 1874.) Elder Lafayette Ball, of Deep Creek (Ibim-Pah the Indians called it), kept the record of these Indians baptism in that locality, and it included the names of eight hundred who had been baptized there. It appears the Indians would frequently come in from quite long distances wearied with travel, for the purpose of being "buried in water." And they would sometimes ask the Elders to administer to their sick children, who were frequently healed instantly by the power of God." (*Mill. Star,* Vol. XXXVII, p. 150). These baptisms had occurred in the summer and fall of 1874; preparations were made for still further additions in the following spring. (*Id.*) A year later, June, 1875, Bishop Culbert King baptized eighty-five Indians at Kanosh settlement, in Millard county, principally members of the band of which Kanosh was chief. Kanosh spoke on the occasion at length "with much earnestness exhorting his followers to industry and good works." (*Deseret News* of July 4th, 1875). Nor was the movement confined to the south alone. On the first of August, 1875, George W. Hill baptized over three hundred Indians in the Malad river, in Box Elder county, and many of their sick were healed by faith, under his administration consisting of the anointing with oil and the imposition of hands after the order of the early Christians (James V, 14-15). *Deseret News* of Aug. 11th, 1875, p. 444, and *Mill. Star,* Vol. XXXVII, p. 582). These were among the remnants of the bands with which Connors' California volunteers had made such havoc in the battle of Bear river. Indian conversions and baptisms continued through a number of years. A correspondent under date of March 20th, 1875, wrote the Salt Lake *Herald* that on the 19th there had arrived "about two hundred Shebit Indians who came and demanded baptism the result of some supernatural influence through their prophets and 'Medicine men' similar to demonstrations in others parts of the Territory. * * * Several persons were appointed to administer and after singing and prayer nearly two hundred of the denizens of the forest were baptized." (Copied into the *Mill. Star,* Vol. XXXVII, p. 247).

ty miles north of Salt Lake City."[40] This city had been founded in March, 1869, on the approach of the transcontinental railroads, and being on the railroad near the mouth of Bear river, and but a short distance below the junction of the Malad river with that stream, it was the natural gate-way through both the Malad and Bear river valleys, for northern points of Idaho, Montana and Oregon. Much was hoped from it in a commercial way as a rival to both Ogden and Salt Lake City. Within two years after it was founded, and when "founded it was built of canvas and board shanties,"[41] it had an anti-Mormon daily paper, the *Corinne Daily Journal;* and it became a centre of bitter anti-Mormonism. Indeed the first convention of the anti-Mormon political party in a Territorial contest for delegate to congress was held there, in July, 1870. Such action was the result of a well considered plan on the part of the anti-Mormon forces, and designed to gain control of one of the counties of the Territory—Boxelder county—and greatly influence the election of the adjoining county of Weber.[42] In all these things, however, Corinne disappointed its projectors and those who fostered it through many declining years. It failed both as a commercial and as a political centre and by 1874-5, the "Burgh on the Bear"—as Corinne was factiously called by those who ridiculed its pretentions—had so far sunk in decadence that its chances of survival were desperate.[43]. It was this fact, doubtless, that led its citi-

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40. "Rocky Mountain Saints," p. 674. Corinne was named for the daughter of Gen. J. A. Williamson, one of the early settlers of the place.

41. *Deseret News,* correspondent Saxey, impression of April 7th, 1869. The correspondent also said: "The town of Corinne * * * is fast becoming civilized, several men having been killed there already; the last one was found in the river with four bullet holes through him and his head badly mangled."

42. Hist. of Salt Lake City, Tullidge, 1886, p. 491.

43. Ten years after Stenhouse's reference to Corinne as "a very enterprising town," as quoted in the text above, Phil Robinson, the noted War Correspondent of the London *Telegraph,* and at the time he wrote the following passage on Corinne Special Correspondent for the New York *World* writing up Utah, said: "And so to Corinne, ghastly Corinne, A Gentile failure on the very skirts of Mormon success. It had once a great carrying-trade, for being at the terminus of the Utah Railway, Montana depended upon it for its supplies, and bitterly had Montana cause to regret it, for the Corinne freight-carriers (I wish I could remember their expressive slang name) seemed to think that railway enterprise must always terminate at Corinne, and so they carried just what they chose, at the price they chose, and when they chose. But the railway ran past them one fine day, and so now there is Corinne stranded high and dry, as discreditable a settlement as

zens to make an effort to make it a military centre for the suppression of imaginary Indian troubles arising out of the fact of so many of the Indians applying for baptism into the Church of the Latter-day Saints.

This work among the northern Indians in 1874-5, resulted in the selection of farming lands between the Bear and Malad rivers about twenty miles north of Corinne, where it was proposed to settle them and teach them the cultivation of the soil, in harmony with their desires. The season of 1875 being too far advanced to allow of the Indians that year getting out the water for the lands selected, moved down the river about ten miles, to where the water had been taken out by the citizens of Bear River City, where a temporary camp was made, and where the Indians did some hundreds of dollars worth of work in clearing out the ditch, making a new dam, repairing the fences of the citizens, etc. Here crops were planted and work continued until August when the harvest was ripening. At this juncture the citizens of Corinne affected a great "fear" that they would be attacked by the Indians, and set out night guards for protection. On the night of August 10th the picket guard on the west fired off their guns and galloped into town with the report that a large body of Indians—500—were approaching. Great excitement followed. There was some "screaming and fainting" of women, and men rushed frantically about; but no Indians came. This however did not prevent a meeting of citizens being held to consult upon the safety of the city. Boxes of condemned arms belonging to the government and stored in trust at the Corinne railway depot were broken open and distributed among the citizens. The wildest rumors prevailed. "An Indian squaw had warned many persons to leave on account of an impending massacre;" "A Mormon girl" who was employed in a Gentile family had received a dispatch "warning her to flee from a threatening danger;" several families of "Jack Mormons" had "already fled." The Indians and the Mormons were in alliance for the destruction of

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of crazy-looking shanties stands half the year in drifting dust and half the year in ever men put together, without any plan, treeless and roadless, the scattered hamlet sticky mud, and the Mormons point the finger of scorn at the place the Gentile used to boast of." ("Sinners and Saints," Roberts Brothers, Boston, 1883, pp. 269-70).

Corinne, since Brigham Young desired the destruction of the town, hoping by that means to advance the interest of the Utah Northern Railroad, then building, and to exterminate the people of Corinne "who had persisted, against his wishes, in building up a rival to Salt Lake City." The Indians for their part in the alliance were to have the entire Malad valley.[45] The Governor of the Territory was appealed to for protection against this "Indian outbreak," and troops were sent from Camp Douglas under the command of Major Briant, and Captain Kennington to give the alleged needed protection.[46] The whole thing, however, was a baseless fraud. There never was a moment of danger from the Indians gathered in the Malad valley. There had no body of Indians left their temporary encampment where they were farming, and working for the citizens of the vicinity. So evidently unnecessary was the appeal for military protection that while the great alarm took place late on the night of the 10th of August, and the appeal for military protection could not be made before that time, yet the *Deseret News,* of the 14th of August reported the return of the troops from Corinne, under the caption: "*When Johnny Comes Marching Home,*" saying:

"This morning the troops sent from Camp Douglas to the front of the Corinne scare arrived in this city, after having performed a useless errand. They looked as if they might be thinking that they would prefer that kind of a joke played on them by the 'ringites' to come not oftener than once in a great while. The whole affair has developed, in some of its phases, one of the most palpable farces ever perpetrated among civilized or uncivilized people in any age. The consummate rascality of its instigators, originators and conductors is beneath the contempt of every person who has any right to the appellation of man; but it is not the first evidence by many of their contemptible cupidity."

Yet under United States military authority these Indians were ordered to leave the scene of their peaceful industry—chief Po-

45. *Deseret News,* by special correspondent, who visited Corinne in the midst of the "Scare," under date of August 12th, see *Deseret News* of Aug. 18th, 1875, p. 453.

46. *Deseret News* of Aug. 18, p. 453, *et passim* for the month of August.

cotello was among them—and go back to their reservation. There was doubtless some color of justification for ordering the reservation Indians back to their reservations. And yet when these Indians were found pursuing the vocations of peace, "and had frequently expressed the desire to become citizens of the United States, had paid taxes in fact at Franklin, Idaho Territory, in 1874, the taxes being levied upon their horses, which was the only taxable property they owed, and for which they held the receipts"[47]—it does seem that a little wresting of the reservation rules to the advantage of the progress of the Indians in acquiring industrial habits and tendency towards civilized methods of life, might have been indulged without establishing dangerous precedents or disrupting the reservation system. But after the departure of the reservation Indians there were several hundred of the Indians in Malad valley who had no reservations to go to; they were local valley Indians, but they were required nevertheless to leave the lands they had cultivated that season, just the same as the reservation Indians.[48] I know of no sadder spectacle in the history of our country's tragical Indian policy than these Malad Indian farmers leaving, without resentment, their harvest-laden fields at the bidding of the military representatives of the nation, and under the counsel of their religious leader, Elder Geo. W. Hill,[49] who persuaded them it would be best for them to submit to the injustice.

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47. See signed statement of Geo. W. Hill in *Deseret News* of Sept. 1st, 1875.

48. See the signed statement of Elder Geo. W. Hill in *Deseret News* of Sept. 1st, 1875, p. 485. "The Major (Briant) delivered his message which was to the effect that all the Indians must leave the farm and go to their reservations before noon the next day, or he would be compelled to drive them therefrom by force." "I told the Major," writes Hill, "that all the Indians who belonged to reservations had already gone, and that the Indians who were on the farm now were resident Indians, had no reservation to go to, as they never belonged to any." Nevertheless the orders had to be obeyed. "This was about three o'clock in the afternoon," says Mr. Hill. "Immediately afterwards I called the Indians together, told them that it would all come out right and advised them to return to their former haunts. By sunset not an Indian could be found in the camp—all had scattered out to wander from place to place as in former years, leaving their crops, for which they had toiled so industriously, and on which they depended for their winter food, neither cut nor garnered. (*Id.*) Mr. Hill charges that the next day a man styling himself "States Marshal," with three or four others from Corinne, rode into the Indian camp and stole every thing to which they took a fancy. (*Id.*)

49. "This season the Indians put in about one hundred acres of wheat, twenty-five of corn, five and a half to six of potatoes, three to four of melons, peas, beets, and other vegetables, which, at the time of the commencement of the excitement, were just ready for harvest. In fact the Indians were in the fields with two reapers and had just commenced harvesting when the first news of trouble reached us," signed statement of Mr. Geo. W. Hill. (*Deseret News* of Sept. 1st, 1875.

Absurd as this whole Corinne affair was, yet the press in other states took up the hue and cry; and execration of the Latter-day Saints echoed and re-echoed through the land. A sample of the spirit in which the matter was discussed is found in the following excerpt from the Sacramento (Cal.) *Record Union*:

"So much is certain, that if the Gentiles of Utah are in danger and help is wanted, a call for volunteers in California will be responded to by *twenty thousand armed men inside of twenty-four hours;* and if these volunteers should go to Utah and find hostilities in operation, we should be sorry to have to answer for the consequences of their indignation. * * * "If Corinne is attacked by the Indians, let Brigham Young see to it that Salt Lake does not smoke for the outrage.

"Our volunteers might be rough, and when their passions are up, they would not perhaps be altogether capable of restraint.

"Meanwhile is it not a disgrace to Congress that so monstrous an anomaly as this should outrage American civilization?

"It is time that this farce should be terminated. It is time that the Mormons were made to understand that they cannot be permitted to exist in either open or covert hostility to the United States."[50]

Yet the comments were not all as senseless and irrational and threatening as this ebullition from the *Record Union*. The *Omaha Herald,* of August the 14th, then edited by Dr. Miller, had the following to say under the caption—

THE CORINNE COLLAPSE.

The Corinne telegrapher surrendered as gracefully as he could yesterday on the Corinne conspiracy. That interesting individual and the gangs of which he is the mouthpiece would do well to go and hang themselves. We deny the whole indictment against the Mormons, and we have no doubt that the Indians are as innocent of hostile intent towards the people of Corinne, or any other white people, as though they were unborn. Exactly what the explanation of the Corinne affair will be when those capable of telling the truth about the Mormons and Indians do this, we

50. From the *Record Union* copied into the *Deseret News* of Aug. 18, 1875, p. 456.

do not know, but the collapse of the conspiracy to create armed conflict in Utah was inevitable from the outset. That the army should have been cajoled into giving countenance to the scheme is to be regretted, but we do not believe there is an officer at Camp Douglas with a thimble-full of brains who believes that there was the least foundation for the organized scare at Corinne."

Historic Views and Reviews

Good Prices for Historic Paintings with Brief Biographies of their Authors

EARLY American paintings of historical subjects belonging to the collection of Dr. George Reuling of Baltimore, Maryland, were sold recently at public auction in New York. The highest prices obtained at the sale was $4,000, paid by C. Ray for a life-size portrait of George Washington in the uniform he wore at the battle of Princeton, January 3, 1777, painted by Charles Willson Peale and sent by Washington to the King of France as a mark of gratitude for the French alliance. A half length portrait of General Andrew Jackson by Charles Willson Peale, and considered by that artist to be his best portrait went to Mr. Smith for $725.00. This portrait was painted in Washington, before General Jackson started on his Florida campaign. The painting before it went into Dr. Reuling's collection was in Peale's Museum in Philadelphia.

Charles Willson Peale (1741-1827) artist, was born in Chestertown, Maryland, April 16, 1741; son of Charles Peale. He attended school in Annapolis, Maryland, 1750-54; was apprenticed to a saddler, and established himself in that business. His first attempt at painting was a likeness of himself, and his success led him to study under Hesselius, a German painter. He afterwards studied under John Singleton Copley in Boston, 1768-69, and in 1770-74 in London under Benjamin West, who painted his portrait. On his return he painted portraits in Annapolis, 1774-75, and in Philadelphia, 1775-1827. Upon the outbreak of the Revolution he was appointed a lieutenant in a company of militia, and was later commissioned a captain. He led his company at the battles of Trenton and Princeton, and was one of the men selected

to remove the public stores from Philadelphia when that city was in danger of capture by the British. He was a representative in the state legislature in 1779, and advocated a plan for the gradual abolition of slavery. In 1802 he opened Peale's museum, where he exhibited natural curiosities which he had collected in his travels, and portraits which he owned or borrowed. He also gave lectures at the museum on natural history, and practiced dentistry. He was one of the founders of the Pennsylvania Academy of Fine Arts, to which he contributed largely. His versatility is shown in the titles of his books, which include: *Building Wooden Bridges; Discourse Introductory to a Course of Lectures on Natural History; Epistles on the Means of Preserving Health, and Domestic Happiness.* His fame as a portrait painter was national, Washington giving him sittings for fourteen portraits, one of which was painted for the College of New Jersey in 1780. Among his other portraits are those of Gates, Jefferson, Hamilton, Monroe, Jackson, Hancock, Morris, Steuben, Franklin, Greene, Calhoun and Clay. He also painted "Christ Healing the Sick" in 1829, and a full length portrait of himself in 1824, when eighty-three years of age. He left a collection of 269 portraits and historical scenes. His sons, Rembrandt (q. v.) and Raphaelle (1774-1825), were painters of portraits and of still life, and another son, Titian Ramsey (1800-1885) painted animal life, was a learned ornithologist and accompanied Wilkes on his explorations, 1839-42. He died in Philadelphia, Pennsylvania, February 22, 1827.

Portrait of Henry Clay by John Neagle, considered to be the most satisfactory full-length likeness of that statesman, was secured by John Fenning for $390.

John Neagle, (1796-1865), portrait painter, was born in Boston, Massachusetts, November 4, 1796. His parents were residents of Philadelphia, Pennsylvania, and he was educated in that city. He studied drawing for a short time and took a few lessons in painting. He devoted himself to portrait painting in 1818; establishing studios successively in Lexington and Louisville, Kentucky, and New Orleans, Louisiana, and returned to Philadelphia in 1820. He was married in 1820 to a daughter of Thomas Sully, the artist. He was a director of the Pennsylvania

Academy of Fine Arts, 1830-31, and first president of the Artists' Fund Society of Philadelphia, 1835-44. Among his most prominent portraits are those of William Russell Buck; Matthew Cary; Thomas Pym Cope; Dr. William Potts Dewees; Dr. William Gibson; John Grigg; Rev. Richard Drason Hall; Professor W. E. Homer; Chief Justice George Sharswood; William Short; Gilbert Stuart; Andrew Wallace; Mrs. Julia Wood; Samuel B. Wylie; Henry Clay; and Patrick Lyon. He died in Philadelphia, Pennsylvania, September 17, 1865.

"The Launching of the Brigantine by DeSoto and Cortez" painted by Peter F. Rothermel, and formerly owned by the estate of H. R. Latrobe of Baltimore, was sold for $150 to C. Ray.

Peter Frederick Rothermel, (1817-1895), artist, was born in Nescopack, Luzerne county, Pennsylvania, July 18, 1817. He attended the common schools, and after attempting land-surveying and sign-painting began the study of drawing under John R. Smith. He subsequently studied portrait-painting under Bass Otis of Philadelphia, Pennsylvania; traveled in England and an the continent, 1856-59, remaining nearly two years in Rome, and upon his return to the United States, opened a studio in Philadelphia, devoting himself chiefly to historical subjects. He was an honorary member of the National Academy of Design; a member of the Pennsylvania Academy of Fine Arts, and also a director of the latter, 1847-55. His canvasses include: *DeSoto Discovering the Mississippi* (1844); *Embarkation of Columbus,* in the Pennsylvania Academy; *Christian Martyrs in the Coliseum,* a series illustrative of Prescott's *History of the Conquest of Mexico* (about 1850); *The Virtuoso* (1855); *King Lear* (1856); *Patrick Henry before the Virginia House of Burgesses;* three paintings of *St. Paul; Trial of Sir Henry Vane, Battle of Gettysburg; Memorial Hall,* Philadelphia (1871); *The Landsknecht* (1876); *Bacchantes* (1884); *Columbus before Isabella;* two scenes from *Macbeth* and *Amy Robsart Interceding for Leicester.* He died in Grasslandmere, Pennsylvania, August 15, 1895.

John Trumbull's bust portrait of General Washington in uniform was secured by John Fleming after a lively series of bids

running the price up to $725. His "Battle of Bunker Hill," sketched while the artist was stationed at Roxbury, Mass., and an eye witness of the engagement on Breed's Hill, went to Mr. Smith for $750.

John Trumbull, (1756-1843), historical painter, was born in Lebanon, Connecticut, June 6, 1756; son of Gov. Jonathan and Faith (Robinson) Trumbull. He attended Nathan Tisdale's school at Lebanon, and was graduated from Harvard college in 1773, devoting his leisure to painting in which art he attracted much attention. He taught Tisdale's school, 1773-74, and on the outbreak of the Revolutionary war in 1775, went to Boston as adjutant of the 1st Connecticut regiment with Col. Joseph Spencer. When General Washington assumed command of the army before Boston, Trumbull, by creeping through the tall grass approached the enemy's works on Boston neck, and drew a plan of the fortification that so pleased Washington that he appointed his his second aide-de-camp. He was appointed adjutant on the staff of General Gates, in June, 1776, with the rank of colonel, and took part in the advance toward Crown Point, and in the subsequent retreat to Ticonderoga. In November, 1776, he joined Washington in New Jersey, and in 1777 resigned from the army on account of a misunderstanding regarding his commission. He resumed the study of art in Lebanon, and subsequently in Boston, and in 1780 went to London, where he became a pupil of Benjamin West. He was arrested and imprisoned in 1780, when the British government learned of the execution of Major André, and on his release in 1781, set sail for America arriving at Boston in January, 1782. He returned to London in 1783, and continued his studies under Benjamin West, and at the Royal Academy. He conceived the idea of painting historical pictures of scenes of the American Revolution, and went to Paris, where he painted, *The Declaration of Independence and the Sortie from Gibraltar*. He was private secretary to John Jay, 1794-96, was appointed commissioner to carry out the treaty negotiated by Jay, between the United States and Great Britain in 1796; was married in 1800, and in 1804 established himself in New York City, as a portrait painter. Among his other historical paintings are: *The Battle of Bunker Hill; Battle of Que-*

bec; Surrender of Lord Cornwallis; Surrender of General Burgoyne; Washington Resigning his Commission to Congress, and Peter the Great at Narva. His portraits include, besides thirty-four of General Washington portraits of Generals Putnam, Knox, Schuyler, Gates, Stark, Greene, Lafayette, Clinton, Montgomery, Lee, Moultrie, Pinckney, and Arnold. He also produced portraits of John and Samuel Adams; Clymer, Franklin; Patrick Henry; Roger Sherman; John Jay; Alexander Hamilton; Timothy Dwight; Stephen Van Rensselaer; Jonathan Trumbull; Rufus King, Christopher Gore, and a portrait of himself. His religious paintings include; *Our Saviour with Little Children,* and *The Woman accused of Adultery.* In 1831, being reduced to poverty, he arranged with Yale college to bestow upon the college his unsold paintings for an annuity of $1,000 for the rest of his life. After his death, the proceeds of the exhibition of these paintings were used for the education of poor scholars at Yale. He died in New York city, November 10, 1843.

A bust portrait of Henry Clay formerly in the collection of the McDonough estate, secured from Peale's Museum in Philadelphia and painted by Rembrandt Peale, was purchased for $530 and went to John Fleming.

Rembrandt Peale, (1817-1860), artist, was born in Bucks county, Pennsylvania, February 22, 1778; son of Charles Willson Peale (q. v.). He early developed artistic talent; removed to Charleston, S. C., in 1796, and in 1801 studied painting in London under Benjamin West. He returned in 1803 on account of ill health, and immediately gained popularity in Philadelphia as a portrait painter. He visited Paris in 1807 and 1809 to study art in the Louvre, painting several portraits of distinguished Frenchmen for his father's museum, and in 1810 again established himself in Philadelphia. He painted in New York, Boston and Baltimore, 1810-29; visited France and Italy, 1829-30, England in 1832, and in 1833 opened a studio in London and exhibited in the Royal academy. He was president of the American Academy of Arts and Sciences; one of the founders of the Pennsylvania Academy of Fine Arts in 1805; an original member of the National Academy of Design, New York city, and upon

his removal to Philadelphia was elected an honorary member in 1827. He was a skilful lithographer, being one of the first to draw on stone, and was awarded a silver medal by the Franklin Institute for a lithographic portrait of Washington in 1827. His most noted portrait was that of Washington, begun in 1795, completed in 1823, exhibited in Rome, Florence and London and finally purchased by the United States senate. Among his other portraits are: Baron Cuvier, Bernardin de Saint Pierre, Jean Antoine Houdon, Thomas Jefferson, Mrs. James Madison, Thomas Sully, Oliver H. Perry, Ranmohun Roy, G. W. Bethune, William Bainbridge, Joseph Priestly, General Armstrong and Stephen Decatur. His figure compositions include: *Napoleon on Horseback; Babes in the Wood; Errina; Song of the Shirt; Jupiter and Io; Wine and Cake; Lyseppa on the Rock; Roman Daughter; An Italian Peasant; Ascent of Elijah,* and *Court of Death.* He lectured on *Washington and His Portraits* in several of the larger cities of the Union, and edited the *Portfolio of an Artist* (1839). He is the author of: *An Account of the Skeleton of the Mammoth* (1802); *Historical Disquisition on the Mammoth* (1803); *Notes on Italy* (1831); *Graphics* (1841); *Reminiscences of Art and Artists* (1845), and translations contributed to the *Crayon* and other publications. He died in Philadelphia, Pennsylvania, October 3, 1860.

Gilbert Stuart's portrait of Miss Phillips from the estate of Colonel Lewis, great-grand-nephew of Washington was sold to C. Ray for $200.00.

Gilbert Stuart, (1755-1828), artist was born in Narragansett, R. I., December 3, 1755. He received his early education from his mother, subsequently becoming a pupil of the Rev. George Bissett. In 1757 he went to Newport, R. I., to visit Dr. William Hunter, whose attention Stuart's scattered chalk and charcoal sketches had attracted, and who requested him, while his guest, to attempt the painting of an animal subject. In 1768 he painted the portraits of Mr. and Mrs. John Bannister of Newport, and in 1770 studied under Cosmo Alexander, a Scotchman, who saw artistic possibilities in young Stuart's work, and took him to Edinburgh in 1772. After the death of Alexander and his bene-

factor, Sir George Chambers, who had enabled him to study in the University of Glasgow, he returned about 1774 to the United States, by working his passage on a Nova Scotia collier, and established himself as a portrait painter in Newport. He returned to England in 1775, where he was eventually forced by poverty to seek aid from his countryman, Benjamin West, an artist of renown. As a result of this step he was a member of the artist's household for several years, during which time he not only received instruction frow West, but was able to earn a small salary as a church organist. Having gained considerable reputation by his full-length portraits of a Mr. Grant of Congalton, skating, which was exhibited at Somerset House, he opened a studio of his own in 1782 on an elaborate scale, where he entertained freely and soon became overwhelmed with orders. He was married May 10, 1786, to Charlotte, daughter of Dr. Coates of Berkshire, England, and their daughter, Jane (1810-1888) was also a portrait painter, and contributed a sketch of her father to *Scribner's Monthly,* 1877. Stuart removed Dublin, Ireland, in 1788, and in 1792, possessed with the desire to paint a portrait of General Washington, returned to the United States. He opened a studio in Stone street, New York city, where, until 1794, he was busily engaged in filling distinguished orders, among them that of John Jay, who gave him a letter of introduction to General Washington, then in Philadelphia, and as a result of the interview he began work in Germantown, Pa., in 1795, upon what proved his master production. In 1803 he removed to Washington, D. C., and in 1805 to Boston, Mass., where he painted a full-length portrait of Washington for Faneuil Hall. The number of portraits which he produced is said to exceed 750. Although largely owned by individuals, there are several in the possession of the Pennsylvania Academy of Fine Arts, the Lenox Library and the New York Historical Society, Harvard University, the Boston Art Museum, the Redwood Library of Newport, and the Maryland Historical Society. In addition to his five whole-lengths and several other portraits of Washington, are the portraits of John Adams, John Quincy Adams, Jefferson, Madison, Story, Ames, Egbert Benson, Judge Stephen Jones and T. S. Richards of Boston, the two latter being

considered among his greatest works. See "Life and Works of Gilbert Stuart," by George Champlain Mason (1879). He died in Boston, Mass., and was buried in the Central burying-ground in the family tomb of a friend. No inscription was placed upon the tomb, which projects beneath the wall of Boston common, and until 1896 the exact spot of his interment was unknown. In 1897 a bronze tablet was placed by the Paint and Clay Club of Boston upon the iron fence near the tomb. The date of his death is July 27, 1828.

Andrew Johnson

SURMOUNTED GREAT DISADVANTAGES BEFORE BECOMING PRESIDENT

"In spite of all that his enemies and prejudiced critics have said," continued Col. Hughes, "I maintain that Andrew Johnson was one of the greatest men America has produced, and that coming historians will award him a place among the highest.

"He could barely read when he took a wife, the tradition says. At all events, his education was meagre in the extreme and yet he built himself up in the face of the fiercest opposition. Poor, of humble origin, following the village tailor's trade, looked down upon by the haughty, slave-holding aristocrats, Andrew Johnson, in face of all these difficulties, went to the Legislature, to Congress, to the United States Senate, to the gubernatorial seat, to the vice presidency of the United States and afterward to the white house through the tragedy of that fatal night at Ford's old theatre.

"I knew him well and to-day I love his memory. I was with him in his spectacular race for the United States Senate in 1870, when he was beaten by only 1 vote by Henry Cooper, who got the support of his brother, Edmund, former private secretary of Mr. Johnson, and who, by all laws of gratitude, should have remained loyal to his benefactor. Later he ran for Congress as an independent Democrat in a most exciting three-cornered race, his opponents being Gen. Frank Cheatham, the flashing Confed-

erate chieftain and regular Democratic nominee, and Horace Maynard, the Republican candidate. Maynard won, receiving 80,000 votes, Cheatham 60,000 and Johnson 40,000.

"In 1874 he was still virile and ambitious and once more a senatorial candidate. This time fortune was with him, but he got the prize only by the narrow plurality of 1 vote, as he had before been beaten by that slender margin. He was the only man in the history of the country who was ever sent to the United States Senate after having filled the presidential office; but he was destined to stay but a brief time in the arena where he had once been the only southern senator who refused to walk out of the chamber when secession summoned. He took his seat in March, 1875, and died the following July."—Baltimore American.

Ships of Old New York About the Year 1667

AMERICANA

AMERICANA

May, 1914

Old Ships and Ship-building

On the Island of Manhattan

BY HOPPER STRIKER MOTT

Trustee and Treasurer of the New York Genealogical and Biographical Society and Editor of *The New York Genealogical and Biographical Record.*

[*To be Completed in Two Parts*]

Part II

HAVING concluded the recitation of various events, which marked the evolution of the industry, let us revert to the thread of the discourse:

Steam communication across the Atlantic was established by English merchants with the steamships "Sirus" and "Great Western." The "Sirus," Capt. Richard Roberts, R. N., arrived in New York from Liverpool April 22, 1838. She was the second steamer to cross the Atlantic, and the following day the "Great Western," Capt. Hosken, Lieutenant R. N., arrived, having made the passage in twelve days and eighteen hours. Of course these arrivals caused great excitement; especially was the latter vessel a centre of interest from her proportions then termed "stupendous;" being 234 feet in length and 1,604 tons registry. with engines of 450 horse power. On April 27 the city authorities, with a large company of gentlemen, visited the ship in a procession of barges under command of Capt. Stringham, U. S. N., and were shown the wonders on board and refreshed by a collation. The departure of the "Great Western," on May 7 was the occasion of a great popular demonstration on land and water. (Haswell, 335).

The "Great Western" came up from Sandy Hook about 2 o'clock, passed around the "Sirius," then lying at anchor off the

Battery and proceeding up the East River, moored off Pike Street. The city was in a ferment during the day from the arrival of these two interesting strangers. The Battery and adjacent streets were crowded with curious spectators and the water covered with boats conveying obtrusive visitors on board. Everybody is so much enamored that for a while it will supercede the New York packets—the noblest vessels that ever floated in the merchant service. Their arrival is the engrossing topic of our novelty-loving population. But whilst all honor is awarded to the projectors of these voyages and every sort of compliment extended to the gallant commanders yet the merit of originality of this method of crossing the ocean belongs to the Yankees, who made the first voyage on the "Savannah" in 1819, built by Francis Fickett, owned by Daniel Dodd (Dodge?) and commanded by Moses Rogers. (Hone, Vol. I. 303).

The beginning of the American system of ocean navigation is found in the mail contracts of the Secretary of the Navy in 1847. These contracts were three in number: (1) for five ships to carry the mails from New York to Liverpool, which was taken by the Collins Line; (2) from New York to New Orleans, touching at Charleston and Havana and to Chagres, which was taken by Fox & Livingston in 1847, and (3) for the transmission of the mails from Panama to Oregon, touching at California ports, taken in 1856 by Marshall O. Roberts. Other contracts followed. The Bremen Line, under contract with Edward Mills, a New York merchant, was the pioneer of the American lines. The ships of the Collins Line under the Liverpool contract were all built here. The "Atlantic" sailed from this port April 4, 1847, on her first voyage. She was followed by the "Pacific" early in the summer, by the "Baltic" in November and the "Arctic" in December. They cost much more than their rivals, the Cunarders, were much finer in appointments and were of a higher rate of speed. (John Austin Stevens; The Physical Evolution of New York City in a Hundred Years, reprint from the *American History Magazine,* 296).

The gross tonnage of the "Baltic" was 2,723. The hull weighed 1,525 tons and the spars and top hamper 34 tons. The "Adriatic" was one of the best and most comfortable steamers in the

transatlantic trade. She was as beautiful a ship as to model as ever floated on the sea. Built on the East River by George Steers, the famous builder of our cup-winner yacht "America," her lines were as nearly perfect as it is possible for human skill to attain. She was of 6,000 tons—a very large steamer for her day. She was a failure, nevertheless, because of her engine. The Novelty Iron Works, which built it, was unable to make the valve-gearing to her immense oscillating cylinders work perfectly. Owing to the necessity of making continued repairs many parts of her engine cost more than they would if made of solid silver.

She ran, however, on the line several months and made the run between New York and Liverpool inside of nine days, although she was said to have lost more than a day's time each trip in detention because of her faulty valve-gear. If measured as the time is now from Queenstown, instead of Liverpool, her run would have been but little over eight days, and this was about fifty years ago. This once magnificent steamer now lies a degraded, dismantled hull, on a beach on the coast of Africa, and is used as a storehouse. (John F. Baxter, in the *Sun,* December 26th, 1903).

The "Atlantic" of this line was successful. She was built on recognized lines, ran for years and was popular. On July 22, 1850, Mayor Hone indites in his diary this comment: The steamer "Atlantic," the great favorite of the Knickerbockers, in whose successful competition with the navigation of the whole globe our citizens of all parties and professions take a lively interest, arrived yesterday at her berth, in this her native city, making her voyage in ten days and fifteen hours, thereby justifying the prediction of her constructors and owners in making the quickest passage yet known."

The second vessel built was the "Pacific." Again let us quote from the genial Mayor. Under date of Sept. 24, 1850, he says: "The Knickerbockers are crowing like a lusty chanticleer at the great voyage of the 'Pacific.' She has beaten the Cunarders this voyage, which has been made in ten days and four hours from dock to dock—the shortest yet; she went to and returned from England in less than thirty days." After many successful trips

she left New York for Liverpool with a cargo and about fifty passengers, and was never heard of again.

Another vessel of the Collins Line was the "Arctic." She ran successfully for a long time, and was an improvement on those previously built. Launched in 1850, this ship was then the most luxuriously equipped vessel on the Atlantic. Besides the elegance of her appointments she held the record of that date, having made the homeward journey in nine days, nineteen hours and eleven minutes in 1853, as against her own record in the year previous of ten days and eighteen hours. Capt. Luce, her commander, was one of the most popular navigators in the service. It is not a matter of wonder therefore, that when on September 20th, 1854, she turned her prow towards the west, she carried a full passenger list of 226 adults, comprising names that were famous alike in Europe and America. This year was notable for the great number of Americans who, tempted by the gayeties of Paris during the early days of the second Empire, crossed the Atlantic to pass the summer in Europe. October saw the tide of travel turning homeward.

Many will recall with sadness that eleventh day of October, 1854, when news reached the city that this crack liner was a total loss at sea. From a contemporary this account of the tragedy is taken: "On the 27th day of September the ship was steaming at nearly the highest rate of speed, some thirteen knots, through a dense fog, about fifty miles off Cape Race. Noontime found the passengers gathering for the midday meal in the spacious cabin. Eight bells had just struck, when, with no note of warning, the bows of a large propeller were discovered coming through the vapor. A second later the iron mass plunged into the starboard bow of the "Arctic," cutting three large holes in her side, two of which were below water, the largest five and a half feet long and two feet wide. For a minute the two vessels hung in deadly embrace, and then the "Arctic," reversing her engines, backed slowly away. The stranger appeared to be fatally wounded. Her bows were smashed far below the water line and through the wound the cargo could be plainly discerned. The shock to the liner had been slight; so much so that few on board noticed it. The ship had, however, received her death

blow. But nobody, not even Capt. Luce, appreciated the gravity of the situation. The stranger seemed to be far more seriously injured and the first officer and boastwain were despatched, with three sailors, in the quarter boat to see what could be done to aid her. While this was going on the well was sounded and the hull found to be making water rapidly. Of this the passengers did not know for some time, possibly for half an hour, until the carpenters went over the side to stanch the wound by stretching sail over the opening.

"Meanwhile they had been sitting quietly on deck, conversing with one another and wondering what might be the fate of the other ship that had vanished in the fog. At once the Captain realized that his own ship was in danger. The engines were immediately started ahead at full speed, in a vain attempt to reach the land. The fleeing ship met the first officer's boat returning from the quest of the stranger. There was no time to stop and the "Arctic" plunged on through the murk, signalling the little craft to look out for itself. In its flight a boat containing thirteen sailors of the French ship, which had caused the mischief, were come upon and run down. One of its occupants seized a rope thrown by Capt. Luce and was drawn on board the "Arctic." Later this Frenchman, who escaped from the latter by clinging to a piece of wreckage, was the means of calling the attention of a passing bark that had picked him up to the piece of the paddle on which the Captain and two other survivors were clinging, thus saving their lives.

"The flight was in vain. In three-quarters of an hour the water reached the boiler rooms and quenched the fires. The carpenters employed in fixing the sail in the boat over the side cut away and selfishly put off by themselves. On the steamer all was now confusion. . . . The company had gathered on the upper deck and tearfully bade each other good-bye. All said a word of farewell to the Captain. And then at half past four came the end. The ship had been slowly settling at the stern. At length, as though anxious to put an end to the harrowing scenes that were being enacted on her decks, she dipped deeper than before to a passing wave. The lower rails were already awash. Aft only the upper deck, which formed the roof of the

cabin, remained above water. The strong Atlantic swell, upon which the passengers had but so short a time before looked down in fancied security, seemed to tower high above their heads, as wave after wave rolled under the staggering mass. Then came a moment when the surges ceased to pass under the ship. For an instant the hull paused, with bow pointing upward; then dipped rapidly astern, so that the next wave burst in a mass of foam among the two hundred human beings huddled together in a last despairing agony and, while such a scream rent the air as the survivors shuddered to recall, the "Arctic" sank slowly beneath the ocean."

One of the heroes of the occasion was W. W. Gilbert, of the Stock Exchange, who was later known as the projector of the Gilbert Elevated Railroad and another, Leroy Newbold, who worked to the last with desperate energy lashing spars and casks together to provide a refuge for the women. Scarcely a prominent family in the city but suffered by the disaster. Some of the victims were Mrs. E. K. Collins and son and her brother, I. E. Woodruff, Abner Benedict, the lawyer, George S. Howland, S. P. Williams and wife, John E. Williams, Mahlon Day and wife, C. Fabricotti, Sardinian Vice-Consul at New York, and Edward Sandford, the lawyer, of the firm of Sandford & Striker. Sandford had been Judge of the Criminal Court, appointed 1842, and member of the State Senate, 1843. The Boards of Aldermen of New York and Brooklyn adjourned out of sympathy for the bereaved, and flags were lowered to half mast. It was a time of general civic and private mourning. The analogy of this tragedy to the recent "Titanic" disaster is marked. The terrible lesson was not taught in vain in those days. It takes such a catastrophe to awaken public action. The propeller "Vesta," which had collided with the "Arctic," came safely into port, preserved by her watertight bulkheads. Thereafter all ships were provided with these safeguards. Furthermore, the use of the steam whistle as a fog signal was adopted. Prior to this accident the noise of the engine was deemed a sufficient warning of the approach of a steamship to guard against collision. Moreover, the crews were thereafter trained regularly for prompt and united action in case of emergency.

The loss of the "Pacific" coupled with that of the "Arctic," with Mr. Collins's wife and daughter on board, (some accounts say son and some say both son and daughter) and the failure of the "Adriatic" to meet expectations, broke his heart and purse. It is stated that he died a poor, disappointed man. Beginning life as a clerk in the office of McCrea & Slidell, shipping merchants in New York, he became superintendent of a line of packets running between that city and Vera Cruz, then of a line to New Orleans and established the Dramatic Line of sailing-packets to Liverpool in 1836, so named because they carried the names of noted members of the stage. (*Appleton's Cyclopaedia American Biography,* Vol. I, 691).

He made millions out of the old packet trade. When steam was introduced he changed to the new method. In competition with his rivals, the Cunard Line, he had the satisfaction of being able to beat them in almost every contest of speed and capacity. His was the only American line and when the government refused further subsidy* it ceased operation in June, 1858. The sale at auction of the "Adriatic," "Atlantic" and "Baltic" was announced for "Thursday next" at noon, by Thomas Veitch, at the foot of Canal Street. It was generally supposed that they would be bought in by Brown Bros. & Co. (*Evening Express,* March 16, 1858).

A Hundred Years of Merchant Banking, by James Crosby Brown, gives further particulars of the line at pp. 205, 217, 239: The Collins Line was founded in 1850. James Brown the founder of the New York house of Brown Bro., was largely interested in the venture and the vessels were consigned to Brown, Shipley & Co., in Liverpool. They were the first ocean steamships built without a bowspit or overhanging stern, and on the arrival of

*The Collins Line.—The Buffalo Courier comes to the rescue of the Collins line of steamers, in the prospect that the General Government may withdraw a portion of its patronage. That paper says: "The line of noble steamers between New York and Liverpool, which is known by the name of one of the principal owners, Edward K. Collins, Esq., has done more than any one thing to elevate the character of our commercial marine throughout the world. What American is there who has not felt a just pride in their achievements—in their triumphs over the best speed of the most approved specimens of British naval architecture? They have been a source of national honor and should be fostered and sustained by legitimate government patronage." (March 2, 1854.)

The contract was for five first class steamers, for which $19,250 per trip of twenty round trips, or $385,000 a year was paid. In 1852 it was increased to $33,000 per round voyage. (*Steamships and their Story,* R. A. Fletcher, London, 155.)

the first steamer of the Line in Liverpool its appearance excited the derision of the seafaring population there. But the principal then adopted has been followed in all modern steamers. Although the Collins line did not prove a commercial success, it materially affected the character of transatlantic commerce and travel. It was the first line to introduce the modern improvements which have made ocean travelling in recent years so much more comfortable. Its vessels were provided with barber shops, an essential for the convenience of American travellers, bathrooms, a ladies' cabin and other arrangements for comfort. These changes were adopted by other lines with the result that what was once considered a luxury had come to be regarded as a commonplace.

In a letter from John A. Brown, dated Philadelphia, Nov. 16, 1857, he stated that his brother, James, was greatly annoyed at the large advances that were being made on account of these steamers and added: "I believe my brother, James, intends to father the total loss by the steamers, be that what it may."

James Brown's second son, William Benedict, his wife, their child and nurse, three other members of James Brown's family and an old nurse long in their employ, making eight in all, went down in the "Arctic."

The account of the sale is told in the newspapers of the time. *The New York Times* of April 2nd, 1858, stated: Steamers Atlantic, Baltic and Adriatic were sold at auction at the dock foot of Canal Street, by the Sheriff, to Dudley B. Fuller for $50,000, who probably acted on behalf of Brown Bros., they having a claim of half a million dollars upon the ships. Other liens announced at the sale were those of the General Government for $115,500, the city for taxes 1856-7, $39,000 for which the Atlantic was holden, and for wages to the hands $3,000. It was declared on behalf of the company that the claim of the government had been satisfied and the demand of the city unauthorized.

At the commencement of the Civil War the shipyard neighborhood was still inhabited by Americans with an admixture of Germans and Irish. The whole section was a workshop and a home of ship builders. No other mechanics were domiciled there and the neighborhood talk was in terms of the sea; the bread came

from the making of ships, which were still largely constructed of wood, trim and staunch. There was for example, the "Ocean Monarch," of 2,145 tons, which Webb built, 240 feet long and 40 feet wide, with 30½ feet depth of hold, three decks and a forecastle for fifty men. She carried 900 passengers and a cargo of 4,000 tons. This handsome ship, says the record, on account of being improperly loaded, a year after she was built was thrown upon her beam ends in a violent gale and foundered in consequence. She was only one of the many packets and clippers, largely for the London and Havre service, built at the Webb yard, those constructed by him for foreign account alone numbering 138. Then there was the "Young America," fast and popular, which ran from New York to Liverpool in eighteen days and the song of her day was:

An open sea and a flowing sail,
A clipper ship and a driving gale;
A golden broom at the gallant mast,
That fearless sweeps the ocean vast.

These were roaring times relates Richard A. Smith in the *Sun* of March 16, 1908, who, when the business came to an end, was a post-office attachee, a place he filled for over forty years. His reminiscences are of the sea salty. One of the famous iron clads, he remembers, was the ship which the United States reports speak of as "the great iron clad steam ram 'Dunderberg,' considered in her day the most formidable fighting ship in the world. She was only a pile of logs, covered with iron," continues Mr. Smith, whose early days were spent in the building of the trim wooden flyers. She made a pretty picture with her square rigged foremast, her broadside guns and the national flag over her rail. Ordered by Secretary Welles for the navy she was laid down in 1863 but was not finished until the war was over. As the government had no need of her Mr. Webb obtained permission to sell her to France. She was 380 feet long, with a width of 72 5-6 feet and a hold depth of 22 5-6 feet; 5,090 tons burden. The part of the bow which formed the ram was 50 feet long, and the wooden hull was armored with 4½ inch iron, a

thousand tons of it. She was the fastest ship of the time, being able to steam 15¾ miles an hour. From November, 1861, to May, 1865, the gallant Rear-Admiral Hiram Paulding was in command of the Brooklyn Navy Yard. During a portion of this period the wharves were never empty of vessels fitting for sea and preparing for blockade duty, and the sound of hammers was heard night and day. The year 1861 saw the employment, daily, of an average of 1,650 men.

Agreeably to a resolution of the Congress, 1861, Hon. Gideon Welles, Secretary of the Navy, appointed a board of naval and scientific men, composed of S. H. Stringham, President, William Inman, Commander, Thomas A. Dornin, Capt. U. S. N., and Alban C. Stimers, Chief Engineer U. S. N., to examine and ascertain what would be the cost of a vessel of war begun by the Stevens family, how soon it could be completed and the expediency thereof. The report was dated Dec. 24th, 1861. Having visited the battery frequently and carefully examined the vessel and the plans submitted, it stated that "we found upon the grounds of Mr. Stevens at Hoboken, N. J., situated in an excavation or dock, a long slender iron vessel, in an unfinished state, evidently intended for high speed in smooth water." A full description of the battery is then given and an estimate of the cost of completion, which latter was $1,283,294. Of this amount the government had advanced half a million dollars, leaving yet to be provided $783,294, of which latter sum Mr. Stevens had already expended from his own resources $228,435.87. It would accordingly take over half a million more to finish the work yet to be done.

The report concludes as follows: "We beg leave to express our highest appreciation of the objects Mr. Stevens has apparently had in view when planning this vessel—the most powerful battery, the highest speed and the most thorough protection of any vessel yet produced—and our regret that the plans as presented to us would not, in our opinion, accomplish fully and completely the ends proposed. We look with the deepest interest upon every addition to the efficiency of our navy of whatsoever character and gladly hail every improvement made to any department of it; but at the sametime we cannot recommend the

expenditure of important sums of money upon projects of more than doubtful success when put into practical execution and, therefore, we do not deem it expedient to complete this vessel upon the plans proposed." The report in full was printed in the *Herald* of Jan. 4, 1862.

It was under contract with the Secretary of the Navy, authorized by the Act passed April 12th, 1842, that Robert L. Stevens undertook the construction of a "war steamer for harbor defence, shot and shell proof, to be built principally of iron." The contract was dated Feb. 10th, 1843. The dimensions of the ship were increased Nov. 14, 1844. Work was not begun until 1854. On the death of its projector his brother, Edwin S. Stevens, undertook its completion. The Battery was broken up as she lay on the Hoboken flats in the seventies and sold to old iron dealers, one of them John Stewart.

The "Monitor" was built at the yard of the Continental Iron Works at Greenpoint. There a number of shipbuilders had removed, following the example of Eckford Webb & Co., in 1850, a firm composed of Eckford Webb, a brother of William H. Webb and George Bell. Two years later the Francis Metalic Life-boat Co. went there also, in which year a ferry to the foot of 10th Street, N. Y., was established. Joseph Francis was the inventor of this class of boat which was warranted unsinkable and able to "right" itself instantly even when, in the confusion of shipwreck thrown into the sea. An advertisement in the *Sunday Morning News,* Dec. 10th, 1837, wound up with this notice: "N. B.—Captains of packet ships and other vessels are informed that their Quarter Boats can be changed to Life Boats in short order and filled with atmospheric air or charged with the new chemical preparation."

The same hebdomadal, July 8, 1838, announced the removal of this establishment to Striker's Bay, Bloomingdale, of which resort Francis had become proprietor. Orders left at the extensive ship chandlery store of Charles Ware, 77 South Street, would meet with attention.

Anything concerning the "Monitor" must always be of interest for her advent revolutionized later naval construction. It was as the Ericsson Battery that she was laid down. *The Her-*

ald of Jan. 2, 1862, stated that she was so nearly completed that the engines and propeller were operated by steam the previous day. "Their performances," it adds, "proved highly satisfactory, although the vessel is not yet launched. This may be considered as very expeditious when it is remembered that it is only two months and eight days since the keel plate was laid." The principle of the armored turret as first utilized is still followed in the construction of all the big battleships of the world. When John Ericsson came out of Sweden in 1826, a lieutenant of 23, he had already won a reputation as an engineer, his 13 years spent in England had been prolific in important inventions, but it was not until 1844, after several years spent in the United States, that he leaped into the forefront as a naval constructor and engineer.

The warship "Princeton," built from his designs and under his supervision, the first iron warship with screw propeller in the U. S. Navy, attracted the attention of the entire world and made his fame secure, but the limit of his wonderful mental resources had not yet been reached. From the days of the "Princeton" in 1844 to the guns of Sumter in 1861 was a busy period for Ericsson. The Civil War gave him the opportunity to develop the dream of his youth, the building of "an impregnable and partially submerged instrument for destroying ships of war." This plan, almost identical with the later "Monitor," had been matured as far back as 1835 and the idea of protecting war engines for naval purposes was as old to him as his recollection. For years these plans had been stowed away, unused but not forgotten. It was, indeed, a critical moment when they were brought out again, a nation's fate being in the balance.

The opening of the conflict of 1861 had found the north unprepared and in no department more so than in the navy. To the government officials it was brought home with startling effect when it was learned that the confederates had raised the U. S. frigate "Merrimac," which had been burned and sunk at the Norfolk Navy Yard and were converting the hull into an ironclad, to which the north had nothing but wooden walls to oppose. In this great emergency the government turned to Ericsson, with whom it had had previous dealings and the "Monitor" was the

result. A young man, Thomas F. Rowland, had just commenced business as a ship builder at Greenpoint. He called on Ericsson at his office in Franklin Street and there the contract was executed. When once it was agreed upon Ericsson went ahead with great energy. The iron for the keelplate was drawn through the rolling mill even before the text of the formal contract was finished. By its terms the "Monitor" was to be finished within a hundred days. The keel was laid Oct. 25, 1861, steam was applied to the engines Dec. 30, the craft was launched Jan. 30, 1862, and practically completed Feb. 15, 1862. The 25th saw the vessel in commission under command of Lieutenant John Lorimer Worden. (*The Life of John Ericsson,* 1890, *Charles Scribner's Sons*).

She left New York harbor March 6, 1862, in tow of the "Seth Low," and accompanied by two naval steamers. Hardly had she got out of the lower bay on that Thursday afternoon before Louis N. Stodder, acting-master, reported to Commander Worden that water was coming in through the berth-deck hatch, the eye holes in the pilot house and down under the turret. The Commander, and Master, together with Executive Officer Green, had all they could manage to keep her afloat. So much water flowed into her when the seas ran high that at two different times the vessel was in imminent danger of foundering, although everything possible was done by the pumps and the crew. She arrived at Hampton Roads on the evening of the 8th.

The "Monitor" went into battle on the following day under rather unfavorable conditions. Opposed to her was the Confederate ironclad "Merrimac" carrying a crew of 320 men. They had had experience with their craft, they were elated over the destruction of northern warships the previous day, and were well rested and fed. On the "Monitor," on the other hand, the men, numbering 58 all told, were on a strange craft, they had scarcely slept since leaving New York, and in the perilous hours on that voyage had never tasted warm food. They were also on an untried vessel, built contrary to every sailorman's notions. The fate of the nation seemed to depend on Ericsson's genius and the skill and bravery of the crew. (*Ibid*).

The duel began at 8 A. M. Sunday and waged until noon. The

result was a draw, the "Merrimac," badly leaking, having then started up the river and the battle was over. The "Monitor" came through without vital damage. Lieut. Worden was badly wounded. In an effort to send her to a Southern port the "Monitor" was lost at sea in Dec., 1862. *The Evening Express* of April 26th, of that year, announced that Lieut. Worden was slowly recovering from his injuries, and that some of his friends, in view of the fact that he might be obliged to retire from active service, were raising money towards the purchase of a farm and homestead for him. Subscription lists were opened at the office of the Pacific Mail Steamship Co. This paper of May 12 acknowledged contributions, and in "Local Intelligence" stated that the Lieut. was at the St. Nicholas Hotel "this (Monday) afternoon and was the cynosure of all eyes—the lion of the day, in fact, large numbers of people called upon him."

He recovered his health; honors in showers were bestowed upon him. Twice did the Congress vote him the nation's thanks, once on July 11, 1862, and again on Feb. 3, 1863, with the recommendation that he be advanced one grade. He was commissioned Commander July 12, 1862, and, in accordance with the second vote of thanks, promoted to Captain Feb. 3, 1863. As the recipient of the double vote he was retained, by operation of law, on the active list until he should have had 55 years of service, but he was retired with the highest sea-pay of his grade, at his own request, by special Act of Congress Dec. 23, 1886.

The steamer "New England," built by John Englis, had a trial trip in 1862, starting from the foot of Tenth Street. She passed by the steamer "Great Eastern," which was being repaired near Fort Schuyler, and proceeded as far as Glen Cove Bay. A large party, including representatives of the Common Council, were on board. She was constructed for the International Steamship Company and was intended to run between Boston and St. Johns, N. B.; 230 feet long, 32 feet beam and 12 feet hold, finely fitted for passengers with a large number of Ingersoll metallic life boats., (*Evening Express,* July 18, 1862).

Chandler L. Ingersoll was the inventor of these boats which were made, he announced in the *Sun,* Jan. 21, 1842, upon an entirely different principle from those then in use. "They are war-

ranted," he stated, "to be in every way adapted to the purposes for which they are designed and can be furnished for nearly half the expense of what is termed 'Francis' Life Boat.' Those feeling interested on this subject are invited to call at the establishment of the undersigned, 406 Water Street, and examine for themselves." Francis' Metalic Lifeboat Manufactory at Greenpoint, employed usually 40 men and turned out 6 to 8 boats, of all sizes, per week. (*Herald,* Oct. 14, 1857).

Among other shipbuilders were C. & R. Poillon. Having built the steamer "United States," which had been engaged in transporting troops in the Chesapeake, "for which she has admirable arrangements," she returned in 1862 to their yard for repairs. At the Sectional Dock, foot of Rutgers Street, E. R., she received her "first suit of metal." (*Herald,* Sept. 23). Since the 1st of Jan., 1862, there had been launched from the ship-yards of Thomas Collyer & Co., foot of 43rd Street, E. R., the following vessels: Steam propeller "Tow-Tow," designed for the trade with China, 400 tons burthen; the side-wheel steamer "Manahoisset," originally built to run between New York and New Bedford, since chartered by the government for transport service, 450 tons burthen; the "Osseo," a small side-wheel steamer now running between New York and Westchester, of 150 tons burthen; the side-wheel steamer "Thomas Collyer," running between New York and Port Monmouth, N. J., 500 tons burthen and one grain elevator, the "Union," of 100 tons burthen. This firm did a great deal of government work in the way of repairing, altering and refitting vessels for the Navy previous to the first of January last. Since that date they had done nothing in that line. About 100 men were now employed in this yard. (*Ibid.,* Oct. 6, 1862). The proprietor, Thomas Collyer, "the celebrated ship-builder of this city" died at the Everett House, where he was living, on Friday, Nov. 7, 1862. The funeral was held from the Baptist Church at Sing Sing.

At the extensive plant of the Dry Dock Iron Works, foot of East 11th Street, the iron-mailed gunboat or ram building for the government, was fast approaching completion in Oct., 1862. She was destined to be one of the most formidable vessels ever

used for war purposes. The name selected for "this curious engine" was the "Moodna." It was stated that when floating on the water the vessel would present the appearance of a mammoth turtle. Charles W. Whitney was the contractor and J. S. Underhill the builder. (*Ibid,* Oct. 6, 1862). From this yard was launched on Saturday morning, Dec. 6 of the same year the iron-clad battery "Keokuk," designed by Whitney. She sailed from New York, March 11, 1863, and arrived at Port Royal on the 26th. She was not only a two turreted vessel but was also a ram. Being 159.6 feet over all, including the ram, she was smaller than the Ericsson monitors. Her sides sloped inwards at an angle of thirty-seven degrees, to shed the enemy's shot. She differed from the original "Monitor" in having three eleven inch bore guns of the Dahlgren type which were in each of the two turrets, and these guns revolved, while on the "Monitor" the turret itself revolved. Because of her speed, ten miles an hour, and her armor, which was five and one-half inches thick, she was one of the wonders of naval architecture of the time. She led the federal naval attack on Fort Sumter in April and was struck and disabled. The following day she sunk on the beach off Morris Island. (*Ibid.,* April 11, 1863). Mr. Whitney was one of the earliest to urge the propriety of building a shot proof fleet and his studies of the question, as well as his knowledge of the qualities of iron, gave his opinions weight. He was born in New York City and his friendship and association with Ericsson were of mutual advantage. He removed to Kinderhook about 1898 and died there at the residence of his sister, Mrs. Fleming Popham, on Dec. 25, 1908, at the age of seventy-seven.

The Herald of Oct. 6, 1862, reported that there were five large steam propellers, sister ships, on the stocks for the new Neptune Line, between New York and Boston. They were to be named "Neptune," "Nereus," "Glaucus," "Galatea" and "Proteus," and would each cost about $100,000. The engines were being built by Henry Esler & Co., at the Atlantic Docks. This firm built four vessels for the Burnside expedition, including the steamer "Northerner," at a cost of $50,000. There were three

hundred men employed. The "Nereus" was launched March 21, 1863, from the yard of J. B. & J. D. van Deusen, foot of East 16th Street, and the "Galatea" on April 23. (*Ibid.*, March 21; April 25). Henry Steers launched in June the new and splendid steamship "Retribution" for the Marshal O. Roberts' Nicaraugua Line in the California trade. Her tonnage was 3,300. The engine was built by the Morgan Works on the plans and under the superintendence of F. N. Dickerson. *The Herald* of June 5, related that the launch was the finest of the season and added "that this vessel is the pioneer of the new ships of the line. The other ones are to be named respectively 'Retaliation,' 'Restitution,' and 'Revenge.' Saucy names these; but they indicate a spirit of go-aheaditiveness which our travelling public would do well to encourage. The keel of the 'Retaliation' will be laid immediately by Mr. Steers and upon the same ground from which the 'Retribution' was launched."

The draft riots broke out on Monday, July 13, 1863, and were not entirely suppressed until the following Friday. During their progress the mob endeavored to destroy the yards and the ships under construction. The Quintard Iron Works were one centre of attack. They entered and gutted hardware shops and numerous fires were set in the locality. In the 11th Precinct a valuable force in aid of the authorities was organized by Boardman & Watts at the Neptune Iron Works where three hundred good men and true were prepared to help in the protection of the Ward. 200 of these were armed with sabres, 100 with muskets and all were ready to respond at a moment's notice to any call. Such preparation forestalled serious trouble. The 24th Precinct composed the Harbor Police under Capt. James Todd. Men were furnished by this force for the defence of the huge ram "Dunderberg," lying at the foot of 6th Street, near Webb's shipyard, which was threatened with destruction. The saving of the government prizes at the Atlantic Dock was an equally important serivce rendered by this command. (*Draft Riots in New York, David M. Barnes,* 52, 76). "Gallant Tim" was in charge of this Ward and it was of him that Ned Harrigan, the inimitable, sang in some such words as these:

Our Captain's name was Hussey,
A Tipperary man,
Who carried his sward like a Russian Juke,
Whenever he took command.

A company of the Seventh Regiment* aided in saving the "Dunderberg." This ram was sold to the French government and renamed the "Rochambeau," states *Battles and Leaders of the Civil War,* The Century Company, Vol. I, 619. This authority adds that there were built or projected during the war nearly 60 iron-clads, all of the Monitor type, except three, viz: The "Dunderberg," the "Keokuk" and the converted frigate "Roanoke."

One of these monitors, the "Weehawken," commanded by Capt. John Rogers, had an interesting and exciting history. On April 7, 1863, she led the attack on Fort Sumter and with the "Keokuk" was one of nine so engaged. The first shot, says Gen. G. T. Beauregard, came from Fort Moultrie and was aimed at the "Weehawken." No heed was taken of it. The turreted iron-clad kept on her way until within 1400 yards of Sumter when she paused a moment and opened fire upon it. Fully two minutes elapsed and then Sumter replied. The "Keokuk" was sunk in the engagement and the "Weehawken" was struck 53 times. Her deck was pierced so the water ran through it, her side armor was in one place so shattered by repeated blows that it only remained in splintered fragments which could be picked off by hand and at one time the turret revolved with difficulty owing to heavy punishment.

Another monitor was the "Dictator," which was launched at the Delamater Works, Dec. 27th, 1863. (Ibid, Vol. I, 619; Vol. IV, 10, 11, 39.)

In bringing to an end these data concerning a famous local in-

*At 9 o'clock on Monday night, the 14th, a body of about seventy officers and men of the Seventh and an equal force of the Twenty-second, marched to Webb's ship-yard, to protect the iron-clad vessel there building. They were under arms all night, in a duty at once comfortless and perilous, as the mob often approached, yelling and threatening; it had forced the suspension of work on the vessel, that the workmen might join them and menaced to destroy all the government property, valued at two million dollars. But their malignity vented itself only in threats. This detachment from the Seventh was reinforced by a howitzer sent from the Navy-Yard, whose presence had a good effect on the mob. (Hist. 7th Regiment; Swinton, 354.)

dustry much more, of course, could be added. Enough has been narrated to preserve accumulated gleanings of years. It would not be inclusive without an account of an island which few in these days ever heard of and which should remain memorable as the site of the building of the "Clermont," the first successful steamboat in the world and "Fulton the First" or "Demologos" the first steam war vessel in any navy. The Ratzer maps and those of 1803 and 1808 show the location of this island. That of 1797 lays it down unmistakably. It is also mentioned by name on the Poppleton map of 1817.

If one will examine the map of the made and swamp land on page 197, Vol. III, *Memorial History,* which plan, in passing was drafted after the uptown branch of the Manhattan Bank was opened at Broadway and 18th Street, three distinct islands will be noticed lying at the foot of North (Houston) Street. The exterior and largest one was known as Manhattan Island at a time prior to the application of that designation to what was then denominated New York Island or the Island of Manhattan which names have been absorbed in that of the former island. Comprising several acres of solid ground, nearly surrounded by swamps, it became a noted ship building locality. One of the earliest yards was that of Charles Brownne, who with Naval Constructor Forman Cheeseman as partner, carried on business from 1800 on the block bounded by Montgomery, Clinton, Cherry and Monroe (Lombard) Streets. About 1804 the firm opened another yard at the foot of Houston Street, on Manhattan Island. It was on the outskirts of the city but few dwellings being then erected beyond Corlear's Hook. The partnership was dissolved in 1805 or 1806 and Brownne continued the business. Here in 1807 he built the "Clermont." Brownne's name, has generally been spelled Brown, but Morrison's *New York Shipyards,* 24, notes that the conveyances of real estate spell his name with the suffix ne, the record of all the registered vessels built by him show his name with the suffix, the tombstone in St. Paul's Churchyard covering the graves of his sister and daughter give the same spelling and the death notices in the papers at the time of his decease have the name in the same form.

Brownne removed in 1810 to the northeast corner of Water

and Montgomery Streets, on the property of Henry Rutgers. The ground he had occupied on the Island had been purchased in November, 1807, by Adam & Noah Brown, who, together with Henry Eckford, used it entirely. This Brown yard was the one that was devasted by fire in 1824. Besides spreading to Brown & Bell's it also attacked the adjoining yard of Isaac Webb & Co,. where a frame building belonging to Eckford was consumed. Live Oak Engine No. 44 (known also as "Turk") was organized August 2, 1824, as a result of this fire, by several of the shipbuilders, and ran four years as an independent company. Located originally in Columbia Street, near Houston, after 1831 it was in Second Street, near Lewis and after 1853 in Houston, near Columbia. Together with all the volunteer department it went out of service in 1865. (Sheldon, 355.) With the progress of the city the salt marshes were filled in, the shore line was advanced and Manhattan Island disappeared from the map.

This mighty industry was largely destroyed by ignorant legislation. Besides this the high cost of materials and the want of harmony between the employers and the mechanics caused the failure of some yards. By 1849 the success of the Cunard Line began to affect not only the further building of our foreign packets but to cause them gradually to lapse from freight and passenger traffic to freight alone. The good times of 1848 to 1854 never returned except for periods during the Civil War. A number of other causes conspired to add to the depression but what had a lasting effect was the failure of the ship owners to see that the iron hull vessel was to replace the wooden hull and that at once. The war also hastened the trade's fall. The destruction of so much shipping during hostilities is often given as a reason. The truth is that a steady decline set in from the time in 1828 that the foreign carrying trade of the country was opened free to foreign ships at which time the final restriction on competition by all countries in our foreign trade was removed.

During the war there were built ten large beam engine side wheel steamships for the Pacific Mail Company, each over 300 feet long. But the end was near and at this time, (1909) says Morrison, not one of the old wooden builders or their successors has a yard at New York and there is nothing left at this day to

show where the yards, during the period of their greatest prosperity, were located. Even the old mechanic's bell, which stood between Stanton and Rivington Streets has been removed from its last home of activity to a place of storage at Webb's Academy and Home for Shipbuilders in the Bronx.

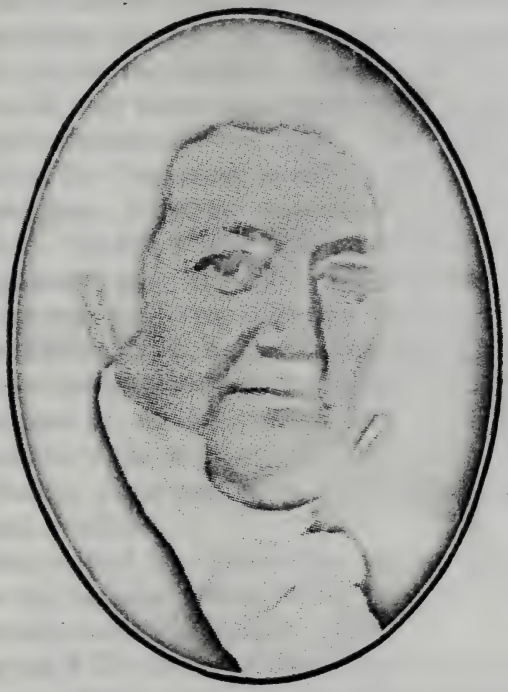
Data Historical and Biographical, Connected With the Pioneer Days in Tioga County

BY J. C. PUMPELLY, A. M., LL.B.

THE valleys of the Susquehanna and Chemung rivers have each of them an interesting history commencing with the dawn of the 16th century when all the territory now included in Tioga, Broome and Chemung Counties was in the possession of a tribe of savage Indians who were in continual warfare with other tribes who dwelt near to them.

The principal rallying point or place of Council of this tribe was Onnon-tioga signifying the village on the hill between the rivers' or "at the forks" which was at the junction of the Chemung with the Susquehanna near Athens, and their main fortified stronghold was near what is now Waverly familiarly known as "Spanish Hill," where at one time there was a most bloody battle and the Iroquois slaughtered many of their own kinsmen, the Onnon-tiogas. Here lived, hunted and fought the Iroquois, the Hurons Eries, Susquehannas, the Oneida and Tuscarora tribes which composed what is called the Five Nations. All of these tribes owing to the influence of the great chief, Joseph Brant, excepting the last two, stood firmly on the British side throughout our war for independence.

In these virgin forests and picturesque and fertile valleys the redmen trained for the war path fought out their tribal feuds and prepared their deadly incursions into our frontier settlements, and here they returned with their captives and bloody trophies. Here too they raised their simple altars and at their festivals their thanks went up to the Great Spirit for the blessings of a fruitful season, and in native simplicity they adored the warm sun which gave them the sweet maple sap, reddened the berry ripened the corn and perfected their slender harvest.



JAMES PUMPELLY
From portrait owned by Mrs. Lydia A. Fordham
of Owego, N. Y.

In our old home garden at Owego we often dug up Indian remains, not only skeletons but weapons of war and the chase and on the shore of the river at the foot of the garden I have picked up wonderfully made arrowheads of flint, agate brown and red and yellow. So in my youth Indian lore was familiar to me, and any special specimen I wished to know about I would take it to my cousin Charles Avery, who would not only explain its uses but show me a splendid picture he had of the great Chief Brant and his collection of Indian relics of which he was very proud.

But to return to my history. In 1679 the Cayugas and Onondagos who then owned the country covering Tioga County on Sept. 26, 1683, made over these conquered lands by gifts and conveyance to the government of New York. The Indians accepting in full satisfaction for the same, a half piece of duffels cloth; two blankets; two guns; 3 kettles; 4 coats; 50 pounds of lead; 25 pounds of powder. To which was added the promise "The Governor will compensate you therefore when occasion permits." The Susquehanna was the great highway for Indian travel and the only known Indian town and planting grounds within the County limits was Owegy, Ohwaga or Owego. Tioga Point, below Owego, occupied by the Delawares, was a famous stopping place for the Indians when on their expeditions and from it radiated their well beaten trails east, west, north and south to the remotest tribes and localities.

The first alarm call of the Revolution was the signal for the uprising of the Six nations whose tribes save only the Oneidas and Tuscaroras espoused the British cause.

In the spring of 1777 seven hundred warriors assembled in camp near Owego ready to strike a blow at the unprotected white settlements on the advance of an expected British force up the Hudson, but upon the approach of St. Leger from the North these Indians went to his assistance and were beaten in the battle of Oriskaney.

It was by the way of the Chemungo and Susquehanna that the infamous John Butler with his Indians and Tories (embarking on floats and rafts at Tioga Point) proceeded on July 2, 1778, to the fearful massacre at Wyoming.

Joseph Brant was on an expedition to burn Springfield at the

head of Otsego lake at the time of the Wyoming massacre and so had no part in that tragedy, but he did take part in the ruthless massacre at Cherry Valley. At this date Col. Hartley, of the Continental forces ascended the Susquehanna burnt the Indian village of 20 houses at Tioga Point and Queen Esther's Castle which stood a little below on the west side of the Susquehanna.

This notable personage and power among her own people is well described in my cousin, Charles Pumpelly Avery's sketch "The Susquehanna Valley" (1853), from which I quoted the following: "She was probably of French and Indian extraction, tall but rather slight in form, cheek bones not high; complexion not as dark as that of the Indian; hair, black but soft and fine unlike the heavy black hair of the squaw; her form erect and commanding and her appearance and manners agreeable. Her influence with the natives was unbounded and when she appeared among them she was treated with the utmost deference. Her costume was rich and showy with a profusion of glittering ornaments and comported well with her claims to deference and queenly dignity. She wore a necklace of pure white beads from which was suspended a cross made of stone or silver. This cross afforded a pious presumption that she had passed some part of her life in a Canadian and French colony and under Jesuit auspices.

It is recorded the Queen once visited Philadelphia in company with a delegation of Iroquois chiefs and was treated with marked attention and hospitably entertained by many respectable families and seemed to reciprocate their kindly feelings.

The plains on which his so called castle stood was on the west side of the Susquehanna near the mouth of the Chemung the main building being a low building irregular in shape, built of hewn logs and planks, but neatly done with a porch and doorway of some architectural pretension and surrounded by quite a number of other buildings. Mr. Minor in his history of Wyoming says "Queen Esther's Plantation" was in the plains near the banks of the Susquehanna. There the Queen of the Seneca tribe dwelt in retirement and sullen majesty. In what we supposed to be the chapel was found an idol having no likeness to anything in Heaven or earth. And it was at this time on August 19, 1779, says Dr. Jabez Campfield in his journal that "General Clinton

joined us" (i. e. Col. Spencer's 5th N. J. Regiment)—"with upwards of 200 boats, 700 infantry, 2 pieces of cannon in boats and we marched for Owego. A party was sent out who burned the town of Owego, but the inhabitants had already gone the day before."

Lieut. Col. Henry Dearborn commanding 3d New Hampshire Regiment, says in his journal "This evening," the 19th, "the town of Owagea was made a bon-fire to grace our meeting" i. e. with Gen'l Clinton with "2,000 men and 208 batteaux."

The first white settler at what is now the town of Owego was James McMaster, formerly a soldier under Col. Phillip Van Cortlandt in Sullivan's expedition. He came in 1788 and after him other settlers arrived in the following order: Amos Draper, John McQuigg and Jessie McQuigg of this family was David McQuigg who in 1804 moved to Ithaca, changed his name to Quigg leaving off the Mc and opened there the first store in the place and was very successful and much honored. His wife was Harriet Pumpelly, daughter of John Pumpelly and sister of William, James and Harmon Pumpelly, all of whom were my great uncles. Ephraim Wood and Joseph Gaskill came in 1789 and Capt. Lemuel Brown and Emanuel Duel in 1790. In 1791 Col. David Pixley who came from Stockbridge, Mass., with his wife Lydia Patterson Pixley (she was the daughter of James Patterson and not the John Paterson who was colonel of the regiment in which Pixley was a lieutenant) and three children David, Amos and Mary. *Mary* married first Dr. Samuel Tinkham, who came to Owego in 1792, 2d James Pumpelly my grandfather on my father's side. David Pixley my great grandfather settled on the west side of Owego Creek in the town then called Owego while the east side was known as Tioga.

This having the village of Owego in the town of Tioga made confusion and in 1813 the names were exchanged one for the other as they now exist. Col. Pixley was one of the 60 original proprietors of the "Boston Purchase" or Ten Townships and was appointed a commissioner by the Boston Company to treat *with the Indians* and obtain title to 230,400 acres of land between the Owego Creek and the Chenango River for which the company

had paid the state in 1787 £1500 ($7,500) (see Annals of Binghamton).

The Colonel served in the old French and Indian war as did my great grandfather, John Pumpelly, and they were both at the siege of Quebec. He also served all through the Revolution as did John Patterson, his colonel, and they both spent the last years of their life and died in Tioga County. In the Owego Free Library may be seen the original recommendation for the office of sheriff: "To the Honorable Council of Appointment of the State of New York," signed by John Patterson, David Pixley and five others all "Members of the Court of Common Pleas and General Sessions of the Peace for the said county of Tioga."

As Commissioner to treat with the Indians Col. Pixley was very successful. He was soon able to become favored adviser of their loved ruler, Queen Esther to whom I referred to before, and he was of the greatest service to the settlers in the making of fair bargains for the purchase of her land, of which she owned a good deal, and in the settling of many difficulties between Indians and white people.

Mary Pixley's first husband, Dr. Tinkham, was the first college graduate in Colony or State, and the first physician to settle in Owego. There being few clergymen and no magistrates in the settlement Mary and the Doctor rode on horseback down to what is now Athens where while still seated on their horses they were married by a justice of the peace who stood in the doorway of his house while performing the ceremony.

Mrs. David Pixley was a woman of beautiful Christian character and Rev. James H. Hotchkiss in his history referring to Owego as an "irreligious place in which the fear of God had little influence" says "they had at that time a *praying Hannah* (referring to Mrs. Pixley), but it was a long time before they had any Jacob—any man to lead in a Christian meeting. And upon his death in 1809 Rev. Seth Williams in his sermon at her funeral "She had such a sense of the spirituality and perfection of the law that she saw *infinite demerit in herself* where others who have not such strict notions would have thought there had hardly been a fault."

Upon her tombstone in the old Presbyterian ground in Owego is this inscription:

"A pattern she through every second of life,
A *pious Christian* and a *faithful wife,*
A neighbor kind, a sweet and pleasant friend,
'Twas thus she lived and peaceful was her end."

Further details as to this family will be found in the AMERICANA for July, 1912.

Mrs. Pixley's son-in-law, Dr. Sam'l Tinkham, was a descendant in the fifth generation of Miles Standish, as the following record sent by a descendant, Dr. E. Gibson, clearly shows.

The blood of eight of the Mayflower Pilgrims (Miles Standish, John Alden, Priscilla Mullins, William Mullins, Mrs. Mullins, George Soule, Peter Brown and Francis Cook), unite in Samuel Tinkham.

Miles Standish, born 1586, died Oct. 3d, 1656. Came in the Mayflower in 1620. Married Rose ———. Came in the Mayflower in 1620. His second wife was Barbara, Rose's sister.

Alexander Standish, freeman 1648, died 1702, married Sarah Alden, daughter of John Alden, who came in the Mayflower in 1620, (and "was the first person who stepped on Plymouth Rock") and of the beautiful French girl, Priscilla Molines, (called Mullins by the Pilgrims,) the heroine of Longfellow's Courtship of Miles Standish, who came in the Mayflower in 1620, accompanied by her father William Molines and her mother. William Molines (b. 1575, d. 1621) was the proprietor of a silk factory in Lyons, France, and was a man of wealth. Being a Huguenot he had to flee to Holland in 1617.

Ebenezer Standish, born 1672, died March 19, 1755, married Hannah Sturtevant, daughter of Samuel Sturtevant, (born 1645, died 1669, at Plymouth, Mass.) and Mercy Sturtevant, and granddaughter of Samuel and Ann Sturtevant, who appear in Plymouth in 1640.

Moses Standish, of Plympton, Mass., born 1701, died 1769. Married in 1723 Rachel Cobb (b. about 1702) daughter of John Cobb (b. Aug. 24th, 1662) who married, in 1688, Rachel Soule (b. 1668) the daughter of John Soule, of Duxbury, Mass., (b. 1632) and

Esther ——, and granddaughter of George Soule (by his wife Mary Becket) who came in the Mayflower in 1620. John Cobb was the son of John Cobb (b. in Plymouth June 7th, 1632) and Martha Nelson (married Aug. 28th, 1658, and grandson of Henry Cobb, who in 1631 married Patience Hurst, and who appeared in Plymouth in 1629, in Scituate in 1633, and afterwards in Barnstable. The aforesaid Martha Nelson (born probably 1641, died Feb. 19th, 1676,) was the daughter of William Nelson, of Plymouth, Mass., who married October 27th, 1640, Martha Ford, daughter of Widow Ford, who came in the Ship Fortune in 1621. William Nelson was one of the purchasers, in 1662, of Middleborough, Mass.

The aforesaid Patience Hurst was the daughter of Catherine and Deacon James Hurst, (died Dec., 1657) a tanner, who appears in Plymouth in 1632 and erects the first tannery. He was one of the purchasers of Dartmouth, Mass.

Sarah Standish, of Halifax, born 1734, died April 1st, 1821. Married Ephriam Tinkham (born April 30th, 1733, died Nov. 5th, 1769) who was the son of Samuel Tinkham (b. March 19th, 1687, d. March 26th, 1775) by his second wife, Meletiah Eddy, (born 1703; married March 22d, 1730; died Oct. 8, 1798); grandson of Ephraim Tinkham (b. Aug. 5th, 1649; died Oct. 13th, (1714) who married Esther Wright (b. Jan. 6th, 1649, died May 22d, 1717); great grandson of Ephraim Tinkham (who was born in England in 1614, and appeared in Plymouth, Mass., in 1630), who married Mary Brown (born about 1627, died 1685), the daughter of Peter Brown, who came in the Mayflower in 1620 and died 1633. The aforesaid Meletiah Eddy was the daughter of Samuel Eddy b. 1675, at Middleborough, Mass.,) who married Meletiah Pratt, daughter of Jonathan Pratt, who in 1664 married Abigail Wood. Samuel Eddy's father was Obadiah Eddy (b. 1645) who married a Bennet, and his grandfather was Samuel Eddy (son of Rev. William Eddy, of Cransbrook, England,) who came in the ship Handmaid in 1630, settled in Watertown, Mass., in 1633 and married Elizabeth ———. The aforesaid Esther Wright was the daughter of Richard Wright (died 1691) who in 1644 married Esther Cook, daughter of Francis Cook, who came in the Mayflower in 1620. Richard Wright's father was William Wright,

who was baptized at Austerfield, England, in 1588, and came to Massachusetts in the ship Fortune in 1621 with his wife Priscilla, daughter of Alexander Carpenter.

Samuel Tinkham, born July 17th, 1769, died Sept. 30, 1804, in Owego, New York. He was a physician. Married Mary Pixley, (b. ——, d. ——) daughter of David Pixley (born 1740, died 1807) a first lieutenant and colonel in the Revolutionary Army, and who was one of a syndicate of forty men who purchased a grant of 230,400 acres of land in New York State known as "The Boston Purchase." He came to Owego, N. Y., in 1791. He was the son of David Pixley, of Stockbridge, Mass. Mary Pixley's mother was Lydia Patterson, (born 1745, died 1808) daughter of James Patterson. He was 1st lieutenant in Capt. Wm. Goodrich's company, Col. John Paterson's regiment (name often spelt Patterson) marched to Bunker Hill to protect rear of the American forces in siege of Boston, was with Ethan Allen in corps of "Green Mountain Boys," was made colonel and served under Gen'l Montgomery at siege of Quebec and served through the whole war and he and his beloved General Paterson both died in Tioga county.

David Pixley Tinkham married Harriet Gould Drake.

Sarah Emily Tinkham married Edward Griswold Gibson.

Edward Tinkham Gibson married Maud Curtiss.

Sarah Emily Tinkham became the first wife of my great uncle William Pumpelly in 1814 and their daughter Emily S. Pumpelly became the first wife of William H. Platt, who married for his second wife, Mary Elizabeth Pumpelly Johnson, my father's sister, who had divorced her first husband, Robert Charles Johnson, one of the famous family of that name in Stratford, Conn.

Another of the early settlers in Owego was my maternal ancestor Samuel Avery. He was a lawyer and came to Tioga county in 1803. His brother, Christopher, was killed in the Wyoming massacre in 1778. His daughter, Frances married my father and it is through that Avery line expert genealogists have traced our family pedigree back through Gen'l John Humphrey, Major Gen'l of the Massachusetts Bay Colony, the Earls of Salisbury, Lincoln, Warwick and the Nevilles to Alfred the Great

and Egbert the first king of England, and through the Plantagenets we are related to many of the founders of the kingdoms and principalities of Europe.

In 1802 my great grandfather John (2), only son of John (1) *Pumpely,* as he wrote it, came with his sons, James, Charles, William and Harmon and settled in Owego. John Pumpelly was born in 1727, one month after the death of his father, John Pumpelly, and was brought up in the household of his stepfather, Mr. Glover. When about twelve years of age, he ran away and enlisted as a drummer in Captain John Loring's company of British service. He served throughout the French and Indian War as a member of Captain Roger's Rangers and was promoted to Sergeant for distinguished bravery while bearer of dispatches for the relief of Fort William Henry, carrying the dispatch safely through a country infested with hostile Indians. The last few miles of this dangerous course were made in a rapid run while he was pursued by three Indian warriors. There is a tradition that he stood near General Wolfe when the latter was mortally wounded at Quebec and was himself wounded at the same time. He served as a Revolutionary soldier and was Commissary to General Israel Putnam at the time of Burgoyne's surrender. It is said that Putnam fell into a lake during a skirmish and was rescued by Sergeant Pumpelly. He resided some years at Pembroke, Massachusetts, hence he removed to Salisbury, Connecticut. In May, 1802, he removed with his family, which then included five children, to the State of New York. They crossed the Hudson River at Catskill and then traversed the wild country, where they seldom found any clearing, to the present town of Owego, Tioga county. The settlement at that time was composed of a few unpainted frame houses, with an occasional one of logs, scattered along the then crooked highway, which is the present front street. What is now the village of Owego was then covered with heavy timber. They continued on northward to what was known as Beers's Settlement, in the town of Danby, Tompkins County. (The only house then, where Ithaca now stands, was a log hut, hardly suitable for a pig-pen). After his death, his widow removed to Owego, where she died December 31, 1832. Upon the interment of her body, that of her husband

was brought to Owego and they were buried side by side in the Presbyterian Burying Ground on Temple Street. He married (first) in 1759 at Halifax, Nova Scotia, Eppen Hillebrantz Meijer (called in this country, Appy Meyers) a young woman of Dutch descent, who died in 1809, aged sixty-three years. He married (second) Hannah Bushnell, born 1756-7, died December 31, 1832, aged seventy-six years, daughter of Captain Samuel Bushnell, of Salisbury, Connecticut, born Aug. 21, 1682, married March 31, 1710, Hannah Hill, who died in 1776. Capt. Sam'l Bushnell was a son of Samuel and Patience Rudd, grandson of Lieut. William (1612-1683) and Rebecca Chapman and great-England. Francis Bushnell (1582?-1646) was the third signer of the Guilford (Conn.) covenant in 1639. Children of first wife: Appy, John, Ruel, Bernard and Captain Samuel Pumpelly. Children of second wife: James, Jerusha, Charles, Maria, Mary, William, Harriet and Harmon Pumpelly.

(IV) James Pumpelly, sixth son of John (2) Pumpelly, eldest child of his second wife, Hannah (Bushnell) Pumpelly, was born December 20, 1775, at Salisbury, Connecticut, and died at Owego, October 4, 1845, in his seventieth year. He was one of the most progressive men that ever lived in Owego. When the family removed to Tioga County, he was twenty-eight years old and rode the entire distance on horseback. Like his father, he was a surveyor and he found ready occupation in the wilderness where they then settled. The family was not in prosperous circumstances, and when James Pumpelly secured a contract for surveying, he had but five shillings in his pocket and this he divided with a less fortunate companion as soon as he began work upon his contract. He began his work with a surveying party as an ax-man, and later became agent for the owners of large tracts of land in the southern tier, and with the aid of his brothers, William and Harmon Pumpelly, he surveyed an immense territory. As agent for lands on both sides of the Owego Creek throughout its entire length, he established a land office in Owego and purchased large tracts on his own account, which he sold out from time to time at a generous profit. In association with Joshua Ferris, he surveyed several sections known as the Watkins and Flint Purchase, which comprised about three hundred

and sixty-three thousand acres, including the present town of Candor and Spencer. In a comparatively short time Mr. Pumpelly became the largest owner of real estate in his section of New York. In 1829, he built the large brick house which is still standing at the northwest corner of Front and Academy streets. At the time, this was the largest and most expensive house in that part of the country, being much like the celebrated Van Rensselaer Mansion in Albany and it was predicted that the investment of so much money in a house would cause the financial ruin of its owner. Here he continued to reside until his death. By reason of his activity and large means, Mr. Pumpelly was at the head of nearly every public enterprise. He was member of the State Assembly in 1810, the president of the old Bank of Owego, treasurer of the Owego and Ithaca Turnpike Company, president of the Owego Turnpike Company, of the old Ithaca and Owego Railroad Company, of the Susquehanna Steam Navigation Company, which in 1835 built the first steamboat on the Susquehanna for commercial purposes. From the construction of its building in 1827 until his death, Mr. Pumpelly was president of the Owego Academy. He was the first president of the Village of Owego upon its incorporation in 1827 and filled the office five consecutive years by re-election. His name stands No. 1 on the list of founders of the Tioga County Agricultural Society. In 1810, he represented his county, (then Broome) in the State Assembly. He was a self-made man and his enterprise and public spirit, when the village of Owego was in its formative period, contributed very largely to its rapid advancement. He was one of the vice-presidents of the convention held at Owego, December 20-21, 1831, to advocate the construction of the New York and Erie Railway.

The plan for a railway from New York to Lake Erie to supplement the Erie Canal was the earliest extensive railroad project in the State of New York and originated with Governor DeWitt Clinton. Eliazer Lord (1788-1877) was Clinton's main supporter of the project and in 1831 after the death of Clinton he applied to the Legislature for a charter incorporating the road with a capital of $10,000,000 as he became its founder and the first president of the Company.

Hon. John Duer drew up the charter and it was passed by the legislation in April, 1832.

Among the incorporators named in this charter were: Stephen Whitney, John Arnot, Isaac Lawrence, Elisha Riggs, Eliazer Lord, John Magee, Peter Lorillard, together with the following, all of Owego, N. Y.: Gideon Lee, John R. Drake, Charles Pumpelly, Jonathan Platt, James Pumpelly and Luther Gier.

Charles Pumpelly, my mother's father, came to Owego in 1803. He purchased the old Bates tavern property where now stands the Ahwaga House, and had a store in its east wing and later on built a store where he and his partner, his son-in-law, Geo. Bacon, did a successful business dealing in all kinds of merchandise, and shipping it with lumber, salt and plaster down the river in arks and rafts when the river was high in the spring. And he owned a saw mill. He was a shrewd trader and man of great energy of character and genial in his temperament. He was supervisor of the town several years and in 1811 was paymaster in Lieut. Col. Oliver Huntington's regiment and afterwards in Col. Elijah Shoemaker's 53d regiment. He was a delegate to the state convention which framed the state constitution, was a member of Assembly in 1825, and after his brother, James, died he succeeded him as president of the Owego Academy. He had eight daughters and two sons. Of the daughters, Susan married my father, Mary Ann married George Bacon, Frances married Judge Joseph S. Bosworth of New York. Judge John M. Parker married Catherine Ann for his first wife and Iletta Avery for his second wife, while Harriet Amelia married Hon. Theodore Frelinghuysen, formerly U. S. Senator and Chancellor of the N. Y. University and at that time president of Rutgers College, New Brunswick, N. J., while Lydia Abby, the beauty of the family married Judge James Forsyth, of Troy, N. Y., and his son, James, is now residing in the James Pumpelly homestead while the old Charles Pumpelly home is occupied by his great grandson, John Parker.

Harmon Pumpelly, the youngest of all the brothers, came to Owego when he was 20 years of age and was employed by his oldest brother in surveying lands and later engaged in merchantile business and lumbering and like his brothers was very successful becoming a large landowner.

He married first Delphine Drake, daughter of Judge John R. Drake. He was a member of the first board of village trustees, was re-elected four times. Served as an officer in the state militia and in 1821 was lieutenant of a company of riflemen and 1822 captain in the 201st regiment of infantry. His wife died in 1839 and he then travelled in splendid style in England and Europe in a beautiful coach and four and postillions and outrider in blue livery. In 1884, he moved to Albany with his two children, Adeline Jerusha and Delphine Drake Pumpelly. He married for his second wife, Marie Brinckerhoff, the beautiful daughter of Peter Brinckerhoff, and granddaughter of Rutgers Bleecker, mayor of Albany. This lady was lovely in person, mind and disposition, and was a most sympathetic wife and homemaker for her rich and influential husband who as president of the Albany Savings Bank, the Albany Gas Co. and the Albany Insurance Co. His prominence in the city's affairs was surpassed by none and his energy and prudence contributed greatly to the success of these companies as well increasing his own wealth, and in his home life he was ever the earnest and liberal minded Christian, the affectionate husband and parent and the faithful and genial friend. For many years he was a vestryman of St. Peter's Episcopal Church, for seven years the senior warden of the parish. He had no issue by his second wife and died Sept. 29, 1882, leaving a large estate. His daughter, Adeline, the widow of Mr. James Kidd, died in Albany in 1914. Her sister, Delphine, Mrs. John Meredith Read, died some years ago.

The other brother, William Pumpelly, came to Owego in 1805, and entered the land office of his brother as a surveyor and afterwards went into the merchandise business until he retired in 1844 with a handsome competence. He was president of the Bank of Owego for several years. Of his first marriage I have spoken heretofore, in 1824 he married for his second wife, Mary H. Welles, of Athens. Her brothers, Henry and George Henry Welles were two of the most distinguished men in Bradford county, and the latter was a poet. Their father, George Welles, a graduate of Yale College came to Tioga Point in 1799 and was land agent for Charles Carrol, of Carrolton.

Mrs. Pumpelly, who was my great aunt, was an artist and poet

of considerable ability and while in Germany with her son Raphael where he pursued his studies in mining and geology, she became an excellent German, French and Italian linguist. A book of her poems was published in 1852. Her husband, Mr. Pumpelly, was a man of steadfast Christian character, modest and unassuming, and was greatly respected in the Presbyterian Church in which he was an officer for years and a most earnest and devoted attendant. Of his son, Raphael, now one of our foremost geologists and mining engineers as well as explorer and author, I have spoken in full in the AMERICANA for October, 1913.

The limits of this article has precluded the writer's referring to many other equally worthy early settlers in Tioga County and of many incidents biographical and otherwise, but later on he hopes to be able to publish other articles along these lines.

He hopes that those of the members of the Chemung Tioga Society who read this paper will be lead to send into our magazine any and all data which they may possess of value relating to their own families and friends. This is all important for as time passes and the press of affairs absorbs the attention of those who have come here from the valleys of the Susquehanna and the Chemung these historic papers are pretty sure to be neglected or lost and if their owners die the priceless opportunity passes away forever.

American Naval Heroes

Ensign Worth Bagley, (1874-1898) the First Naval Officer Killed in Action in the Spanish-American War

BY JOHN HOWARD BROWN

WORTH BAGLEY was a brother of Addie Worth Bagley, wife of Hon. Josephus Daniels, Secretary of the Navy of the United States.

It is a strange coincidence that in 1888, Josephus Daniels was one of the chief mourners in the gathering of ten thousand citizens of North Carolina, assembled on Capitol Square to do honor, in conjunction with the United States naval companions of the deceased naval officer, to the memory of the first United States naval officer killed in active warfare in the Spanish-American War, and that twenty-five years afterward the devoted brother-in-law of Worth Bagley, the Naval Hero of 1888, should be again on May 12, 1914, a chief mourner, as commander-in-chief of the United States Navy, to follow the President of the United States in speaking from a platform erected at the United States Navy Yard, words of appreciative sympathy to an even greater assembly met to pay homage to American valor as illustrated by the first seventeen Naval Heroes, who, but a few days before had given up their lives in their line of duty and received the highest national honors as the caissons bearing their precious bodies bedecked with flowers and the flag under which they had fought even unto death, were lined before the platform.

It was on April 21, 1898, that Worth Bagley then just past his twenty-fourth birthday and only twenty-one days before he met his death, wrote to his mother, apparently in answer to a letter "from home" that expressed a mother's fears for the safety of a son, as follows:

"Nothing will happen to me with such prayers as yours to aid me. I shall have full confidence at all times, in action, or wherever I may be, and that alone would keep me ready to do good service. Do not be afraid for me. Everything turns out for the best. You will have to get out of the habit of feeling fear for my safety. Besides you have enough of the Spartan in you, if you wish, to say, 'With your shield, or on it,' and that is what you must always say to me."

The above letter and biography which follows, is copied from "American Naval Heroes" of which the editor of AMERICANA is the author and which work included the lives and deeds of fifty-five heroes who made illustrious, the American Navy from 1776 to 1898, the work having been published in 1899, and of the sketches, the last named hero being Worth Bagley.

Worth Bagley was born in Raleigh, North Carolina, April 6, 1874. He was the oldest son of Major William H. Bagley, a native of Perquimans County, North Carolina. When the Civil War broke out Major Bagley volunteered in the first company for the Confederate service that was raised in his county. He rose to the rank of major in the 68th North Carolina Regiment, and held that position in the Confederate Army when Lee surrendered.

Upon the election of Jonathan Worth as governor of the state in 1865, Major Bagley became private secretary to the governor, and in March, 1866, he was married to the governor's daughter, Adelaide Anne Worth. In 1868 he was chosen clerk of the supreme court of North Carolina, and held the position until his death, February 21, 1886.

Major Bagley was a son of Colonel William H. Bagley, grandson of William Bagley, who fought in the War of 1812, and great-grandson of Thomas Bagley, who served in the Revolutionary War. Ensign Bagley's mother was the youngest living daughter of Governor Jonathan Worth and Martitia Daniel. The Worths were originally Quakers, and were among the first of the Friends who came to America, William Worth having emigrated from Devonshire, England, about 1640.

Worth Bagley was a worthy descendant of distinguished ancestors. There was in him the rare blending of the simplicity and directness of his Quaker ancestry and the *bonhomie* and

geniality that is characteristic of Southern civilization. Robust and healthy from babyhood he grew in strength and manly grace. He was gentle, courteous, affectionate and deeply religious.

He finished the course in the Centennial Graded School and in 1884 entered the classical school of Morson and Denson, at Raleigh, to prepare for college. He took a high stand there, winning many medals and honors. In all athletic games and sports he displayed surprising skill and strength for his age.

At the close of the session of 1888-89 he received the highest honors in several of his classes, and was fully prepared to enter the University of North Carolina, but entering a competition examination for appointment to the United States Naval Academy at Annapolis he won the prize in a large class composed of young men who were all his seniors by several years.

The committee who held his examination reported that young Bagley's papers were almost perfect.

He was appointed a cadet by the Hon. Benjamin H. Bunn, and entered the United States Naval Academy in 1889. He had previously given especial attention to the classics and was a fine Latin and Greek scholar, but at Annapolis Latin and Greek are omitted altogether from the curriculum, and mathematics, chemistry and kindred subjects are given pre-eminence, so it was not surprising that he failed to pass the examination in the spring of 1891. He was reappointed, however, by Representative Bunn, and became a member of the class of 1895, in which he made an excellent record both in scholarship and in athletics.

Detached from the academy in June, 1895, he went on board the receiving ship "Vermont," whence he was sent to the cruiser "Montgomery," July 23, and thence to the "Texas," October 8th. On January 20, 1896, he was assigned to the "Maine" and on July 20, 1896, was transferred back to the "Texas" where he remained until he returned to Annapolis for his final examination in May, 1897.

He was promoted ensign July 1, 1897, and assigned to the "Indiana," whence he was transferred to the "Maine" on August 17th. On November 19, 1897, he was ordered to the Columbian Iron Works, Baltimore, as inspector, in connection with fitting out the torpedo boat "Winslow."

Of his short career before he went on board the "Winslow" there is little to be said, except that he was a faithful and popular officer. When Lieutenant John B. Bernardou knew that he was to be given command of the "Winslow" he offered Ensign Bagley the position of second in command, which after some hesitation he accepted, entering upon his duties December 28, 1897.

In January, 1898, he was given his first opportunity to show the heroism of his nature. In a raging storm with the assistance of two sailors in a life-boat, he saved the lives of two poor fellows from a scow which was adrift at sea about fifty miles from New York. For this deed the Secretary of the Navy on February 1st wrote a letter of thanks to Lieutenant Bernardou, Ensign Bagley and the other members of the crew.

When the "Maine" was blown up in Havana harbor, his indignation knew no bounds and he was eager for the war with Spain to begin.

On the morning of May 12, 1898, the gun-boats "Machias" and "Wilmington," the torpedo-boat "Winslow" and the armed revenue cutter "Hudson" met off the harbor of Cardenas determined to put a stop to the annoyance the spiteful little Spanish boats in the harbor were giving the patrol. The "Wilmington" took the middle position, the "Hudson" the west shore and the "Winslow" the east shore and proceeded into the harbor by an entrance inside Cayo Cupey.

The "Machias" was obliged to remain outside on account of her drawing too much water. The "Wilmington" soon found her draft of ten feet too much for the passage and this left the "Winslow" and "Hudson" to hunt out their game. The "Winslow" darted ahead of and soon found herself the target of hidden shore batteries and of the Spanish gunboats. Lieutenant J. B. Bernardou, the commanding officer of the "Winslow," was wounded in the thigh, but twisting a handkerchief around his leg he continued fighting. His men never faltered.

At 2.35 p. m., a solid shot crashed through her hull, and knocked out the boiler and disabled the steering gear, then she began to roll and drift helplessly.

It was a moment of awful suspense on the "Winslow." The brave crew heard the fierce cheer of triumph from the Spaniards

as they witnessed the effect of the iron hail. The next sound was a storm of shot and shell aimed unerringly at the helpless craft. The gun-boat "Hudson" soon came up to the "Winslow" and Lieutenant Frank H. Newcomb, her commander, heard the megaphone message from the "Winslow," "We are disabled, come and tow us off." Lieutenant Newcomb in this emergency showed himself a hero. He rushed to the rescue, and as the "Hudson" came alongside, threw a line to the "Winslow" but it did not strike the deck which was now a sure target for every gun of the Spanish batteries, and to run into it meant certain death to the unprotected revenue cutter. The next trial of the "Hudson" which consumed fully twenty minutes, resulted in the line reaching the "Winslow" on whose deck stood Ensign Bagley, second in command, and six men to receive it.

"Heave her, heave her," shouted Bagley, looking toward the commander of the "Hudson."

"Don't miss it," returned the officer of the "Hudson," and with a smile young Bagley called back.

"All right, let her come, this is getting too hot for comfort."

The line reached the deck and at the same moment a Spanish shell exploded in the midst of the group. Ensign Bagley and two of the men were instantly killed and three of the crew dropped groaning to the blood-stained deck, two dying within a few hours. Another wild shout of triumph went up from the Spanish boats and forts. The "Hudson" bravely kept her place by the side of the "Winslow" and the line fastened by the survivors drew taut and broke. It was not till 3.50 p. m. that the "Hudson" again passed the line to the three remaining men on the deck. They made it fast and the "Winslow" was towed out of the range of the Spanish guns with the lifeless bodies of Ensign Bagley, Firemen Deneef and Meek, Oiler Varvaris and Cook Tunnell, five victims.

The "Winslow" had been struck first by a three-inch shell from one of the gun-boats, which ripped through her side and pierced the forward bulkhead; two others struck her on her port side further aft, one of these shots carrying away 125 tubes of one boiler. A shell struck the hood of the forward conning tower; eight others pierced the tower lower down and Quartermas-

ter McEwen described their explosion to be like the voice of thunder. One shell burst the steam pipe and the escaping steam filled the tower. Five of the nine shells burst inside the tower. A torpedo lashed to the port side was struck by a shell and the war head was smashed to bits, some of the pieces penetrating the wet gun-cotton. It was only chance that prevented an explosion that would have destroyed the craft and all on board. A box of one pounder ammunition full of cartridges lay on the deck and a Spanish shell exploded in the box but the ammunition was not disturbed. A shell passed between the legs of Mate Cavanaugh and through the conning tower while he was working the forward gun to extract a jammed shell and he kept right on as if nothing unusual had happened. A shell hit the starboard about amidship and passed through the coal bunker into the engine room. As it exploded a piece lodged between the piston head and the cylinder and rendered the engine useless. The wheel ropes were carried away early in the action. The "Winslow" carried out of the fight twenty-six scars, every one acquired in her half-hour fight at Cardenas, besides seven dents made by Spanish Mauser bullets fired by riflemen as she ran close in shore.

In Harper's Magazine for December, 1898, Lieutenant Ernest E. Mead, an officer of the revenue cutter service, who was on board the "Hudson" at the rescue of the "Winslow" at Cardenas, thus tells the story of the death of Ensign Bagley and his comrades:

"As we were approaching the "Winslow" on our second attempt to close with her the tragic event which has given this engagement its sad prominence occurred. The officers and crew of the "Winslow" were gathered along her rail waiting to grasp the expected heaving line. Grouped around the starboard gun were an officer and four men. They stood there the men, expectant, every nerve taut, waiting to grasp the elusive line, which was their only chance to escape almost certain destruction—the officer, self-contained, smiling, a perfect antidote for nervousness in his calm bearing. The next instant they were gone. A flash, barely visible in the glare of the sun, a report, unnoticed in the noise of the battle, a faint puff of vapor, and as it cleared away we realized that five of our comrades in danger had been wounded, killed, destroyed by an enemy's projectile. One poor fellow, falling on the curve of the deck, was slipping overboard when he

made a last despairing grasp at the stanchion and held on, calling plaintively for help. A shriek of horror rose from both crews as his shipmates sprang to his assistance. He never knew of their ready answer to his call. He was dead when they tenderly drew his body back on deck. One cry, a few muttered curses, and the crews hurried to their stations; some to their guns to work them as they had never been worked before, the others to the seemingly hopeless task of saving both vessels."

Young Bagley was the first officer to fall, and the fifth member of his class to die a violent death, in the war with Spain. His body was carried to his home in Raleigh, North Carolina, and the United States Navy was represented by Assistant Naval Constructor Lieutenant Lawrence L. Adams of the Norfolk Navy Yard. His body laid in state in the rotunda of the State Capitol, and the funeral exercises were held in the presence of ten thousand people on the Capitol grounds in front of the statue of Washington. The procession to the cemetery was seen by fifteen thousand spectators. As the procession moved eleven guns were fired by a battery and eleven more were fired at the grave after which two regiments of state militia fired three volleys. His grave was made near that of his grandfather, Governor Jonathan Worth, of North Carolina, for whom he was named.

Note—Subsequently a monument to his memory was erected on the Capitol grounds at Raleigh, North Carolina, its dedication being made the occasion of a patriotic gathering from all sections of the state.

The torpedo boat Bagley, the keel of which vessel was laid in 1900, the boat having a displacement of 175 tons with a speed of 29 knots and an engine of 4,200 horsepower and built at a cost of $161,000, was named in his honor, the members of his family participating in the ceremonies attending the launching of the vessel.

The Crittenden Resolution

BY DUANE MOWRY

THE Crittenden resolution, so-called, was introduced in the House of Representatives, at the extra session of the Thirty-seventh Congress, which was convened on the 4th day of July, 1861, by the Hon. John J. Crittenden, of Kentucky, from whom it received its name. It was introduced in the Senate by the Hon. Andrew Johnson, of Tennessee, five days after its introduction in the House.

The resolution undertook to define the objects of the civil war then pending and is as follows:

Resolved by the House of Representatives of the Congress of the United States, That the present deplorable civil war has been forced upon the country by the Disunionists of the Southern States now in revolt against the constitutional Government, and in arms around the capital; that, in this national emergency, Congress, banishing all feeling of mere passion or resentment, will recollect only its duty to the whole country; that this war is not waged, on our part, in any spirit of oppression, nor for the purpose of conquest or subjugation, nor for the purpose of overthrowing or interfering with the rights or established institutions of those States; but to defend and maintain the supremacy of the Constitution, and to preserve the Union, with all the dignity, equality, and rights, of the several States unimpaired; and, as soon as these objects are accomplished, the war ought to cease.

It was adopted in both Houses of Congress in July, 1861, by a very decisive vote.

The following letter of inquiry was found among the private papers and documents in the Senator Doolittle Correspondence, which, with Judge Doolittle's reply, is interesting:

Hartford City, Indiana, June 17, 1868.

Hon. J. R. Doolittle,
Washington, D. C.

DEAR SIR:—A dispute having arisen in this locality as to the author of the resolution passed by Congress in July, 1861, defin-

ing the object of the war, I have assumed the responsibility of writing to you in order to ascertain who is the author of the resolution? Many of the (so-called) loyal people doubt its authenticity and claim that it is a fabrication, gotten up by Democrats for party purposes. Please inform me and oblige

Yours very respectfully,

B. J. CASTLE,
Formerly of Excelsior, Wis.

To which inquiry Judge Doolittle replied that the Hon. Thomas Ewing, Sr., drew the resolution, Mr. Crittenden offering it in the House and Mr. Johnson in the Senate just after the first battle of Bull Run.

History of the Mormon Church

By Brigham H. Roberts, Assistant Historian of the Church

CHAPTER CVI

The Colfax Party in Utah—The Brassfield Homicide—Gen. Sherman and President Young's Exchange of Telegrams on the Situation—The Robinson Homicide—The Boycott of 1865

RETURNING to the year 1865 from which the narrative started that deals with the very last scene of Indian hostilities in Utah, the first visit of Schuyler Colfax and party should be considered. Mr. Colfax, member in the United States House of Representatives from Indiana since 1855, and for two years past speaker of the House, was a national character of large influence. He was accompanied by Lieutenant-Governor Bross of Illinois; Mr. Albert D. Richardson of the New York *Tribune,* and Mr. Samuel Bowles, Editor of the Springfield (Mass.) *Republican.* They arrived on the 11th of June—Sunday morning. There was a halt at Camp Douglas "to salute the flag," Mr. Colfax said; a parade through the camp, headed by the post band. Leaving the Camp the committee appointed by the city council met the party east of the city, took them from their dust-begrimed stage coach to open carriages. The whole party became the guests of the municipality at the chief hotel of the city, the Salt Lake House. There were band serenades, a special performance at the Theatre, an excursion to, and a bath in, the Salt Lake.[1]

Mr. Bowles makes much of the local etiquette of "calling." He

1. Bowles "Across the Continent," 1866, p. 84. Mr. Bowles declares the reception of Mr. Colfax and party to have been "excessive." "Mr. Colfax's reception in Utah was excessive if not oppressive. There was an element of rivalry between been abused; that people had entered into polygamy who ought not to have done so and against his protestation and advice. At the same time, he defended the practice Mormons and Gentiles in it, adding earnestness and energy to enthusiasm and hospitality." *Id.*, p. 83.

states that it became a question as to whether the "distinguished Resident and the distinguished Visitor would meet;" since in "Mormon etiquette, President Young is called upon;" by Washington fashion "the speaker is called upon, and does not call." It appears that Mr. Colfax took a stand for the Washington custom, "and gave notice that he would not call;" whereupon President Young (acting with good sense), yielded the little question, if such a question existed, beyond what had imperceptably become a local custom, and "called," accompanied by a large number of the Church leaders.[2] "It was not one of Emerson's prescribed ten minute calls," says Mr. Bowles, "but a generous, pleasant, gossiping sitting of two hours long." Later there was a return call by the Speaker and his company upon President Young, at the latter's office, where the "call" was longer and equally "chatty and free." There were social entertainments for the party at the home of former delegate, Wm. H. Hooper, and the elegant Home of Mr. Wm. Jennings. During the eight days of the visit of the Colfax party James Duane Doty, the Governor of the Territory, died and was buried with processional honors. Speaker Colfax, and Lieutenant-Governor Bross of Illinois, were included among the pall-bearers, and Rev. Norman McLeod, chaplain at Camp Douglas, conducted the funeral services at the Governor's residence. Interment took place in Camp Douglas cemetery.[3]

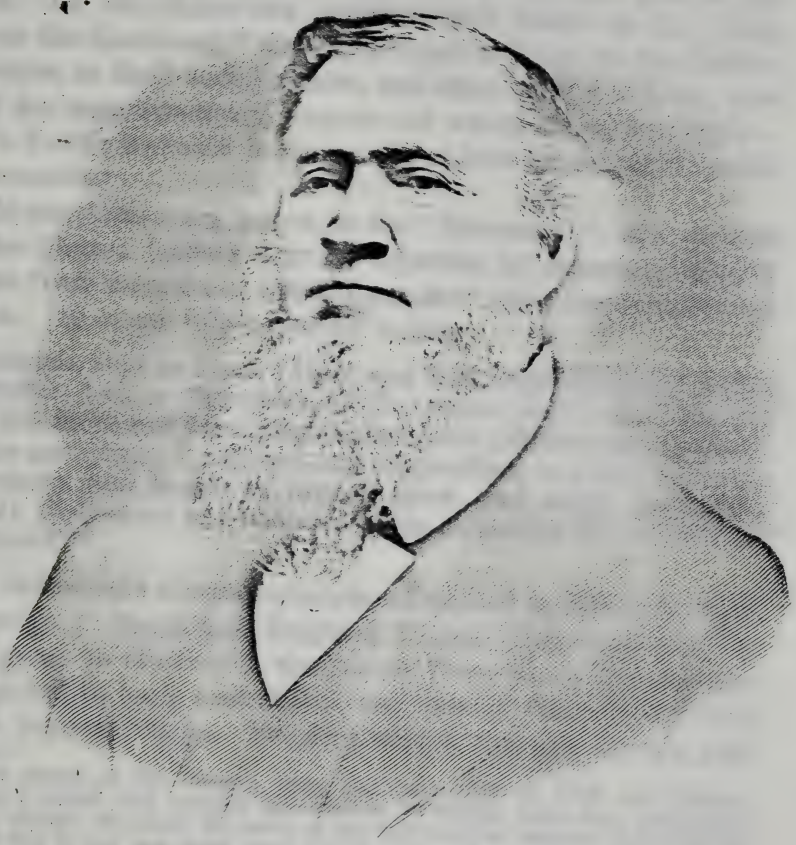
The chief interest of the Colfax party's visit to Utah centered in the speeches of Mr. Colfax and the interviews of the party with President Young and his associates among the Church lead-

2. The members of President Young's party were Heber C. Kimball, John Taylor, Wilford Woodruff, Geo. A. Smith, F. D. Richards, Geo. Q. Cannon, Hon. John F. Kinney, J. M. Bernhisel, W. H. Hooper, Mayor Smoot, Marshal J. C. Little . . . Wm. Jennings, *et al.* Colfax's Journal, of his journey from the Missouri River to California, published in Tullidge's "Western Galaxy, 1888, p. 244.

3. Gov. Doty was from Wisconsin. In the Territorial days of that state he had been its delegate in Congress and its Governor. He came to Utah as Superintendent of Indian Affairs in 1861; and in 1863 was appointed Governor of the Territory. "In his intercourse with the citizens, whether privately or in his official capacity, he manifested that openness and affability of approach so characteristic of men accustomed to western life and manners. During his residence in this Territory he made many friends, and the intelligence of his sudden death called forth many and sincere expressions and evidences of mourning and regret. . . The flags throughout the city hung at half mast, draped in black, and with a general cessation of business, expressed the general respect entertained for the memory of our late Territorial chief officer." (*Deseret News* of June 21, 1865).

BRIGHAM YOUNG

President of the Church of Jesus Christ of the Latter-day Saints from the death of the Prophet Joseph Smith, 1844, to the day of his own death, 29th of August, 1877.



Brigham Young

ers; while the importance of the visit grew out of the subsequent policy adopted towards the Church of the Latter-day Saints, when Mr. Colfax became vice-president of the United States, in 1869. Also it might be said that the visit was important because of the book it helped to produce from the trenchant pen of Mr. Bowles. Of the thirty-two letters which make up his book, "Across the Continent," six are devoted to Utah, to the Latter-day Saints, to their social affairs, and their religious faith; also one of his supplementary papers—of which there are eight—and Mr. Colfax's speech to the people of Salt Lake City from his hotel veranda.[4]

In his supplementary paper on the "Mormons." Mr. Bowles does the Church leaders a great injustice by inserting alleged excerpts from discourses which I am sure were never delivered by them. He opens this paper by saying:

"Since our visit in June, [1865, and this supplementary paper was written before the close of the same year]—the leaders among the Mormons have repudiated their professions of loyalty to the government, derived any disposition to yield the issue of polygamy and began to preach anew, and more vigorously than ever, disrespect and defiance to the authority of the national government."[5]

Then follows the alleged excerpts attributed to Heber C. Kimball, George A. Smith and Brigham Young. Unfortunately Mr. Bowles gives no citation to the source from which the excerpts are supposed to have been taken, nor date of their deliverance, nor who reported them. Diligent search through all the pub-

4. The letters of Mr. Bowles from Salt Lake City on Utah and Mormon affairs, are a direct and forceful presentation of things from that gentleman's standpoint; though, of course, the parts of the interviews he presents to his readers, one cannot fail to see, are those parts which give to the brilliant editor the best ground from which to appeal to the prejudices of his eastern readers. Mr. Bowles' locks are all made to fit Mr. Bowles' keys. The things he praises—chiefly the material progress of the people in their pioneering work, and guardedly the personal appearance and intelligence of some of the chief men whom he met. His concluding paragraph of the letter in which he takes his leave of Salt Lake City and her people was intended, perhaps, to be both just and generous: "I have met much to admire, many to respect, worshipped deep before its nature,—found only one thing to condemn. I shall want to come again when the railroad can bring me, and that blot is gone." ("Across the Continent," p. 122).

5. Mr. Bowles also alludes to the same matter in his introductory letter to Mr. Colfax where he says: "You will see that I give a supplementary chapter to this subject (the Mormons), to let the Mormon leaders strip off for themselves the thin disguise of loyalty and disposition to succumb, which they wore during our visit." Introductory, p. vi.

lished discourses of the three gentlemen quoted during the period specified, fails to discover the paragraphs given by Mr. Bowles or any thing like them. One can only conclude that he was imposed upon by those who supplied him with these passages after his departure. It is conceded that there was some extremes of speech at times on the part of Church leaders, when laboring under a sense of outraged justice practiced upon themselves or the community, but it never took the form given in the Bowles alleged excerpts.[6]

The speech of Mr. Colfax from his hotel veranda to the people assembled in the street dealt with two questions: (1) what the people had a right to expect from the government; (2) what the government had a right to demand of the people. Briefly what the people had a right to expect of the government was protection, postal and telegraphic communication, with improved means of commerce and trade with other parts of the republic, better high way and railway facilities. What the government had a right to demand of the people was "*allegiance to the Constitution, obedience to the laws, and devotion to the Union.*"[7] The soundness of the doctrine may not be questioned, but it should be so far modified as to take cognizance of the fact that there remains with the people the right to question the constitu-

6. The following is the alleged quotation from Brigham Young's Discourse: "From Brigham Young himself: He said if they undertook to try him in a Gentile court, he would see the government in hell first, and was ready to fight the government the *rub*. That he had his soldiers and rifles and pistols and ammunition and plenty of it, and cannon too, and would use them. *He was on it!* The governor of this Territory was useless and could do nothing. He (Brigham) was the real governor of this people, and by powers of the Most High he would be governor of this Territory forever and ever, and if the Gentiles did not like this they could leave and go to hell! He said that nine-tenths of the people of the Territory were southern sympathizers; that the North was wrong, and this people sympathized with the South." Mr. Bowles in his second book, "Our New West," published after his second tour with Mr. Colfax—1869—dealing again with Mormon affairs says: "A good many Mormon sermons have been reported and published, some by themselves, others by Gentile listeners" (p. 245). It was doubtless some "Gentile Listener" who reported the above alleged remarks of Brigham Young, and the other excerpts alluded to, for on reading them one familiar with the ideas and language of the brethen would be constrained to say, "an enemy hath done this thing." In the *Union Vedette* of June 21st, 1866, is given the Bowles' quotations from alleged sermons of Elders Geo. A. Smith and Brigham Young said to have been delivered in Tooele City in August, 1865, "as reported by Mr. James W. Gibson." Both in Brigham Young's History, *Ms.*, for August (pp. 722-737), and in the *Deseret News* of Aug. 30th, 1865, is an account of a two days' meeting at Tooele—the only meetings held by these men in Tooele in August—and a very full synopsis of all the discourses delivered at those meetings is given both in the *Ms.* History and the *News*, but no subject matter is to be found in the account of those meetings that could form a just basis for the ribaldry alleged to be reported by Gibson.

7. Across the Continent, Mr. Colfax's speech, pp. 406-9.

tionality of legislative enactments, and contest them in the courts to the extent of their ability and power. Unquestioned acceptance and abject obedience to every enactment of congress is not the test of allegiance to the constitution, nor the criterion of true Americanism. There remains the question, which is the proper law making power in the case, the local legislature of the community or the national congress? If the Congress has assumed to enact a statute obnoxious to the local community, they are certainly within their rights when they question and contest the constitutionality of the obnoxious law, both on the ground that it was not legislation that rightfully fell within the purview of the national congress to enact, and because it infringed the rights of conscience, and limited religious liberty. The Latter-day Saints at the time of Mr. Colfax's visit were questioning the constitutionality of the "anti-bigamy acts of congress" on both these accounts; and it was this attitude of the community, involving if not resistance to the law, at least the ignoring of it, that Mr. Colfax criticized; but that attitude gave him no right to question the loyalty of the community, assuming it, for they were acting clearly within their rights as American citizens. The victory of the American people of the northern states in their disobedience of, and their resistance to, the fugitive slave law, even when upheld by the decisions of the supreme court of the United States, was too recent to allow Mr. Colfax's "obedience-to-law" test of allegiance to pass unmodified. Many historical illustrations will suggest themselves. It is sufficient here to say that the whole progress and maintenance of liberty has been largely a matter of resistance to tyrannical and unconstitutional law; and such resistance, even if, for the sake of the argument, it be admitted that it was mistaken, is not incompatible with the truest patriotism.

Mr. Colfax urged President Young during the interview had in the latter's office, and after a very frank discussion on many subjects, to speak the following Sunday on "the distinctive Mormon doctrine." This he did on the aforesaid afternoon, but apparently with no great success; for neither formal exposition, nor argumentative discourse was Brigham Young's forte. This

is the opinion expressed in Mr. Bowles' book;[8] and it is the tradimon doctrines." This he did on the aforesaid afternoon, but apnot speak with his usual force or clearness.[9] The Discourse is published in the journal of Discourses.[10]

In the evening of the same day Mr. Colfax at the invitation of both the Church and city authorities gave his Chicago "Eulogy on the Life and Principles of Lincoln." That speech ranks high among the great speeches of American statesmen, and delighted the Great Salt Lake audience—from five to seven thousand—who listened to it with wrapt attention, and gave the distinguished speaker a hearty vote of thanks "for the able oration," at its close.[11]

The two interviews between Speaker Colfax and his party and President Young and his associates were very frank, the marriage institution of the Church, or at least that part of it relating to plurality of wives, was the chief topic of interest. President Young having asked Mr. Colfax what the government and people of the United States proposed to do with the question of polygamy, now that the question of slavery was settled, the Speaker answered frankly that he thought it about time that another revelation was had abolishing it. This was pleasantly said and

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8. Brigham Young's preaching to-day was a very unsatisfactory, disappointing performance. There was every incentive for him to do his best; he had an immense audience spread out under the "bowery" to the number of five or six thousand; before him was Mr. Colfax, who had asked him to preach upon 'the distinctive Mormon doctrines;' around him were all his elders and bishops, in unusual numbers; and he was fresh from the exciting discussion of yesterday on the subject of polygamy. But his address lacked logic, lacked effect, lacked wholly magnetism or impressiveness. * * * Brigham Young may be a shrewd business man, an able organizer of labor, a bold, brave person in dealing with the practicalities of life,—he must, indeed, be all of these, for we see the evidences all around this city and country; but he is in no sense an impressive or effective preacher, judged by all standards that I have been accustomed to." ("Across the Continent," pp. 118-120).

9. Tullidge's Hist. of Salt Lake City, states of the incident that "It was the talk of the following week, among some of his friends that the President, on the Sunday, had treated Speaker Colfax and party to the worst sermon he had ever preached," p. 352.

10. Vol. XI, pp. 119-128.

11. *Deseret News* of June 21st, 1865. Also Mr. Colfax's *Journal,* entry June 18th, 1865, Western Galaxy, Tullidge, p. 249. A curious disagreement respecting the manner of the delivery of the speech occurs in the accounts of it by Mr. Bowles, on the one side, and the *Deseret News* on the other. Mr. Bowles says that Mr. Colfax "spoke it without notes, and with much freedom and fervor to an audience unused to so effective and eloquent a style" (Across the Continent, pp. 120-121). The *Deseret News* said: "The Orator said it was his custom to speak extemporaneously, but his relations with our late, lamented President had been so close that he had not dared to speak of him except from the manuscript which he read." *Deseret News* of June 21st, 1865.

"all present smiled," writes Mr. Colfax in his journal.[12] The Speaker also added that "as the people of Missouri and Maryland, without waiting for the action of the general government against slavery, themselves believing it to be wrong and an impedient to their prosperity, had taken measures to abolish it, so he hoped that the people of the Mormon Church would see that polygamy was a hindrance and not a help, and move for its abandonment."[13] President Young asked if polygamy was given up by the Church, would they not be required to give up other features of their religion, the Book of Mormon, etc. "We all said, 'no,'" writes Mr. Colfax, "they had a right to worship God as they pleased."[14] This was the opening merely of a protracted discussion of this question in which Mr. Bross, Mr. Bowles, President Young, Albert Carrington, then editor of the *Deseret News,* and others participated with great freedom and earnestness, but in good nature.[15] According to the testimony of both Mr. Colfax and Mr. Bowles, they received the impression from these interviews that "polygamy," as they styled the plural wife system of the Church, might be abandoned, at least as a practice.[16]

On the eve of the departure of the Colfax party from Salt Lake City—they left on the 19th of June—a petition was drawn up to the President of the United States, Andrew Johnson, asking that Col. O. H. Irish, the very efficient superintendent of Indian affairs of the Territory, be appointed Governor of Utah to succeed the late Governor, Duane Doty. This petition was signed

12. Colfax *Journal,* Western Galaxy, p. 247.

13. "Across the Continent," p. 11; also Colfax *Journal,* Western Galaxy, p. 248.

14. Colfax *Journal, Id.,* p. 248. "I told him [Brigham Young], while their ecclesiastical system was the strongest I knew, polygamy was the weak point in it, setting the whole world against them." (*Id.*) Bowles represents President Young as saying that plural marriage "was not an essential practice of the church, but only a privilege and a duty, under special command of God; that he knew it had as having Biblical authority, and as having, with proper limits, a sound moral philosophical reason and propriety." ("Across the Continent," p. 111.)

15. "The Discussion, thus opened, grew general and sharp though ever good-natured." ("Across the Continent," p. 111.)

16. "The conversation impressed me with the belief that they see their system cannot stand; and that they have contemplated the possibility of some time or other stopping the practice by a new revelation" (Colfax's *Journal,* Western Galaxy, p. 248). "Not only what Mr. Young said, but his whole manner left with us the impression that if public opinion and the government united vigorously, but at the same time discreetly to press the question, there would be found some way to acquiesce in the demand, and change the practice of the present fathers of the Church." ("Across the Continent," p. 113.)

by about two hundred and fifty leading Mormon citizens of Salt Lake City, and presented to Mr. Colfax for his endorsement, with a request that he interest himself in obtaining the appointment of Col. Irish. A second petition "signed by all the Gentile business men of Salt Lake City," also asking for the appointment of Col. Irish, was handed to Mr. Colfax, and with the same request that he use his influence to secure the appointment. This the Speaker refused to do beyond forwarding the two petitions, and saying, "without intermeddling in the delicate question," that he "could cheerfully vouch for Col. Irish's ability, prudence and devotion to the interests of the government."[17] This petition like so many others of the people of Utah on the appointment of Utah officials, was not granted.

About two weeks after the departure of the Colfax party the Hon. James M. Ashley, of Ohio, member of Congress and chairman of the committee on Territories, arrived in Salt Lake City. In view of the desire of Utah to enter the Union the good will of the chairman of the committee on Territories was an important matter, and a free discussion was had with him "upon the probable future relations between the Government and the Mormons." In an interview between Geo. A. Smith, President of the council of the Utah legislature, and John Taylor, Speaker of the house, Mr. Ashley presented a rather gloomy prospect for Utah and her Latter-day Saint population. He represented that the religious feeling in the United States was more intensified against the Church "than it had ever been before: . . . the religious element now ruled the country—the clergy had it their own way, and they were determined that the laws of the United States should be enforced; . . . the onset might come at any time, and it would be terrible; . . . the army would be the refuse of Sherman's and other corps." He made charges against the conduct of Sherman's Army that marched through Georgia which were appalling; charges of wholesale rape and arson, and added: "That's what they intend to carry out here."[18]

At a meeting with Brigham Young, at the residence of Cap-

17. A copy of the Colfax letter with the petition to President Johnson is preserved in Hist. of Brigham Young, *Ms.*, 1865. pp. 419-421.

18. Hist. of Brigham Young, *Ms.*, 1865, p. 510, 511.

tain W. H. Hooper, the interview, was not so gloomy. It began by President Young's greeting: "Well, Mr. Ashley, are you also going to recommend us to get a new revelation to abolish polygamy, or what are you going to do with us?" The Chairman of the committee on Territories frankly declared he did not know what would be done with the Mormons, and illustrated by a story the difficulties of the government in enforcing the anti-bigamy law so long as the grand juries, who must make the indictments, and the petit juries, who must try the cases, would be drawn from the local community that believed the said anti-bigamy law to be unconstitutional.[19]

President Young—doubtless having in mind what had been said to *Messrs.* Smith and Taylor the day before rather than anything that arose in the present interview—told Mr. Ashley that he did not expect a war would be brought on between the Latter-day Saints and the United States; that any army might come, but bye and bye it would go away again; "that the Lord had been the trust of his people heretofore, and he still would be;" and illustrated the fact by a recital of the experiences in connection with Buchanan's Utah Expedition and its failure.[20]

The April conference of 1865 was memorable for the strong stand taken in reference to the general moral obligations of the Saints. "Merchants, lawyers, doctors, and speculators of every kind have been reproved and warned," said President Young in a letter to his son, Brigham Young, Jr., than presiding over the European mission, with more than ordinary energy and plainness. The condition of many of the classes required something more than kind entreaties and soft speeches; . . . these have been tried in vain, and the time had come for something stronger to be used. . . . In the teachings of this Conference, there have been evidences afforded to the world of the divinity of this work, [i. e. Mormonism] which must be irresistible to the honest mind. Had such reproofs, been given in the midst of any other people, as they have been given in the midst of the Saints, the community would have been split in pieces. No Gentile community in the world would bear them.

19. See Stenhouse in Rocky Mountain Saints, pp. 614-5.
20. Hist. of Brigham Young, *Ms.*, 1865, p. 511.

But here all is calm and peaceful, and all, so far as we know, feel to appreciate the reproofs, and are thankful to the Lord that he has bestowed His Holy Priesthood upon man, by which he is enabled to warn and teach his fellow man. . . . We are now beholding a spectacle of moral power exercised by the Priesthood of the living God, such as the world has not witnessed since the days of the Apostles. Here are men, called suddenly, at a moment's warning, to take missions to the nations of the earth to preach the Gospel, cheerfully accepting that call, and stepping forward, not only without murmuring, but joyfully, to respond to it, and closing up their business, and preparing to take leave of their families for years, to preach in strange lands, the messages of salvation, which is despised by so many. . . . Glory be to God for the restoration of his Spirit and power again to the earth, through which all these mighty works are wrought."[21]

A resolution was presented to the conference and carried unanimously, "that the City council of Salt Lake City, and other cities throughout the Territory abolish all liquor saloons, or places where liquor is sold, as fast as circumstances will permit, by ceasing to grant licenses for such purposes."[22]

Following the close of the general conference a special conference was called, at which more missionaries were called and a resolution taken to build a local telegraph line to extend from St. George, in Washington county, to St. Charles, in Bear Lake valley, then the two extreme settlements of the Latter-day Saints north and south. This action was followed in November by a circular letter from President Young calling upon the Bishops and presiding Elders in the Church to assist in the erection of this telegraph line. They were instructed to proceed with the work of securing and setting up the poles;[23] to gather up subscriptions for the purchase of the wires and insulators, which must be shipped from the east to Missouri points, and thence by ox-teams to Salt Lake City. It was estimated that these materials would weigh upwards of fifty-five tons. Settle-

21. Hist. of Brigham Young, *Ms.*, 1865, pp. 228-232.
22. *Id.*, p. 231; also *Deseret News* of April 12th, 1865.
23. They were to be 22 feet long 8 inches in diameter at the butt, and 5 inches at the top, to be set 70 yards apart, and four feet in the ground.

ments expecting to have telegraph stations were urged to select one or two young men and send them to Salt Lake City to learn the art of telegraphy. A special school would be opened to give this instruction and training.[24]

These details in relation to the construction of a telegraph line would not be justified in a history of this character but for the uniqueness of the circumstance—a church is building a telegraph line for an extent of over three hundred and fifty miles, and chiefly through a wilderness, and through the greater extent of which an Indian war was then raging. It must be of some interest to mankind to know something of the manner in which so unusual a thing, by such an unusual agency was done—it illustrates the "Mormon way" of doing a thing which was recognized as a great public necessity. This necessity is recognized and set forth in the following passage from Brigham Young's circular:

"Scarcely a week passes that we do not feel the want of such a line. Occurrences frequently happen in distant settlements which require to be known immediately in other parts of the Territory, and in many instances public and private interests suffer through not being able to transmit such news by any quicker channel than the ordinary mails. We are rapidly spreading abroad, and our settlements extend to a great distance on every hand. We now require to be united by bonds which will bring us into more speedy and close communication with one another; the centre should be in a position to communicate at any moment with the extremities, however remote; and the extremeties be able, with ease and speed, to make their wants and circumstances known to the centre. Instead of depending altogether upon the tardy operation of the mails for the transmission of information, we should bring into requisition every improvement which our age affords, to facilitate our intercourse and to render our intercommunication more easy. These requirements the telegraph will supply, and it is well adapted to our position and the progress of the age in which we live."[25]

This from a leader who is generally supposed to have sought isolation for his people, and who relied upon their ignorance for

24. The circular appears *in extenso* in *Deseret News* of Nov. 9th, 1865.
25. *Deseret News* of Nov. 9th, 1865.

the perpetuation of his "priestly dominion" over them, is rather enlightened and advanced progressivism.

The wire and insulators were brought into Salt Lake City by sixty-five wagons and ox teams, arriving on the 15th of October, 1866.[26] By December 1st the line was established between Salt Lake City and Ogden; by the 8th it was opened on the north to Logan; by the 28th, it had reached Manti in the south; by the 15th of January following, the line was opened to St. George, with a branch line running into Sanpete county; five hundred miles of line had been erected by this time. On the 18th of January, 1867, the Deseret Telegraph company was incorporated by act of the Utah legislature;[27] and on the 21st of March the company was organized, with Brigham Young as President.

In the closing month of 1869 the line was opened to Franklin Idaho. Two years later it reached Paris, in Bear Lake valley, and the same year latteral lines were extended to Coalville in Summit county, northeasterly from Salt Lake City, and Pioche, Nevada, southwesterly. Thus the enterprise went beyond the original design.

During the year 1866 two homicides occurred in Salt Lake City which not only disturbed the local community but attracted the attention of the whole country, and talk was revived in some quarters, for a time, of another military interference in the affairs of the Territory. These were the Brassfield and Robinson homicides.

Squire Newton Brassfield was a "Gentile" who came from Austin, Nevada, to Salt Lake City. He made the acquaintance of, and soon married, a Mrs. Mary Emma Hill, (March 27), plural wife of Elder Archibald N. Hill then absent on a mission in England. No steps were taken to secure a divorce for Mrs. Hill, Mr. Brassfield or his advisers holding, doubtless, that her marriage to Hill had no legal status. There was an attempt made on the part of the newly wedded pair to remove the goods from the residence of Mr. Hill, occupied by the woman; legal resistance through the police was made to this act by the friends of the absent huband; there were threats of violence and the draw-

26. *Deseret News* of Oct. 17th, 1866. Elder Horton D. Haight was the Captain of the "Wire Train."

27. Laws of Utah, 1867, chapter 29.

ing of a pistol upon the officers by Brassfield; the offender was arrested and a charge made against him both for larceny and for assault with intent to kill; on these charges he was released by giving bail. Then followed the effort of Mrs. Brassfield by writ of *habeas corpus* procedure to secure custody of the children by the former husband, and while this case was pending in court, Brassfield, when about to enter his hotel[28] in company with Captain J. K. Hosmer, U. S. Marshal, some person stepped out of an alley way, shot him and ran off, pursued and fired at by a policeman in the vicinity, but the slayer escaped without being recognized. About forty-five minutes after he was shot, Brassfield died.[29]

The act of violence produced a sensation. Judge Elias Smith of the Salt Lake county probate court—which then had criminal as well as civil jurisdiction, and was then in session—called the grand jury into court and gave them a special charge "to use all diligence and take ever necessary step to bring the offenders" in this and some other recent cases of street violence to the bar of justice, "that the majesty of the law might be enforced."[30] The Gentile population raised a subscription reward of $4,500 for the arrest of the slayer of Brassfield,[31] but neither this nor the efforts of the grand jury elicited any information. The quality of this act was variously viewed by the community. By the Non-Mormons generally who, of course, had no regard for the sanctity of the plural marriages allowed by the Latter-day Saint Church, Brassfield was justified in marrying Mrs. Hill; indeed it was regarded as a meritorious act;[32] and his taking off characterized as a case of Mormon "blood atonement." On the part of the Latter-day Saint community, who held plural marriages as sacred as monogamic marriages, the act of Brassfield was of the same

28. This was the "National Hotel," east of "Godbe's Corner," on first South street.

29. The above narrative is condensed from a letter of President Brigham Young, to his son, Brigham Young, Jr., then presiding in the European mission, under date of April 9th, 1866, and by far the most circumstantial account given of the affair. Copied into Hist. of Brigham Young, *Ms.*, 1866, pp. 328-332; also from the reports and Editorials of the *Deseret News* of the 5th and 12th of April, 1866, and the *Union Vedette* of the same period.

30. *Deseret News* of April 5th, 1866.

31. See Bancroft's Hist. of Utah, p. 626, and Stenhouse in Rocky Mt. Saints, p. 616. The *Union Vedette* anti-Mormon paper places the subscription reward at $4,150.

32. See *Union Vedette* of April 4th, 5th and 6th, 1866.

quality as if he had invaded a monogamic home and taken from it the wife of an absent and undivorced husband. This is clear from the remarks of President Young during the General conference of the Church which opened four days after the shooting of Brassfield, and the editorial comment of the *Deseret News*.[33] Brassfield was also accused by a Provo correspondent of the Salt Lake Daily *Telegraph* with already being a married man when he went through the ceremony of marriage with Mrs. Hill; that he had a wife in Kansas; and that Mrs. Hill was not the first woman he had caused to leave her husband.[34] The business partner of Brassfield denied this statement in a communication to the *Telegraph;* but the editor of that paper in acknowledging the request for the publication of the denial, stated that "from the assurance in a private note" accompanying its Provo correspondent's published communication, asserting that proof was on hand "if required" as to Brassfield's status, said— "We cannot reasonably abate our confidence in the statement of our Provo correspondent."[34½] The community could not fail to be as divided with reference to this charge and the denial of it—

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33. See minutes of April Conference in *Deseret News* of April 12th, and editorial of same impression. Also editorial comment of *News passim*, and Salt Lake Daily *Telegraph* of that period. The latter journal, edited by Mr. Stenhouse, said: "Mr. Hill has been known for many years in this community as a quiet, sober, and kind man, with many friends; . . . and some one, we think, has given him and every absent man evidence that their families are not at the mercy of the wicked. *Telegraph,* of April 5th, 1866.

34. RATHER INTERESTING.

Provo City, April 12th, 1866.

Editor Telegraph:

Dear Sir:—There seems to be considerable excitement over the Brassfield case. For the satisfaction of those who were not acquainted with Brassfield before he came to Utah, I will say to them that Mrs. Hill was not the first woman he caused to leave her husband. Brassfield was a married man and has a wife in Kansas, whom he has been away from several years.

I was acquainted with Brassfield before he came to Utah, and told him before and after he came here how men were expected to conduct themselves while here, and cautioned him particularly not to tamper with any man's wife or daughter while he was here, for if he did the probability was he would get into trouble.

Yours, etc.,

Yours, etc., (Signed) W. D. R.

(S. L. *Daily Telegragh*, edited by T. H. B. Stenhouse, impression of 15th of April, 1866.)

34½. Salt Lake Daily *Telegraph* of 18th of April, 1866. The communication denying Brassfield's marriage was by a Mr. A. H. Greenhalgh, a business partner of the deceased for two years just past, who claims to have known Mr. Brassfield since 1860. His communication was published in the *Union Vedette* of the 19th of April, 1866.

and by the same line of cleavage—membership or non-membership in the Mormon Church—as in relation to the quality of the act of Brassfield's marriage. But if the charge of bigamy against Brassfield was true, then his act of marriage with Mrs. Hill was all the more reprehensible and was seduction under the false pretension of marriage. Brigham Young undoubtedly accepted the information that had come from Provo as true, and therefore in a somewhat noted dispatch to General Sherman—noted later—so characterized Brassfield's conduct.

It added to the aggravation of this case that it was but one of a number of similar cases; and had been suggested as a regular policy in order to break up the Mormon plural marriage system. Mr. Bowles had suggested that the soldiers at Camp Douglas illustrated the way in which "polygamy will fade away." "Two companies," he writes, "who went home to California last fall [1864] took about twenty-five wives with them recruited from the Mormon flocks. There are now some fifty or more women in the camp who have fled [?] thither from town for protection, *or been seduced away from unhappy homes and fractional husbands;* and all or nearly all find new husbands among the soldiers."[34] "Our bachelor stage-driver out of Salt Lake," said Mr. Bowles later, "who said he expected to have a revelation soon to take one of the extra wives of a Mormon saint, is a representative of the *coming man. Let the Mormons look out for him.*"[35]

The Brassfield incident, as already stated, attracted wide attention outside of Utah and especially in government circles. Orders had been given to disband the remaining volunteers at Camp Douglas, but upon the report of the Brassfield homicide reaching the east, and the rumors of subsequent excitement "threatening an outbreak," the order was countermanded until regular troops could relieve them; "the government at the same time, by telegraph dispatches, assuring the people (i. e. the

34. "Across the Continent," p. 116. Unhappily the experience of most of those who went to camp found betrayal and a life of shame rather than husbands.

35. *Ibid,* p. 130.

"Gentiles") that they would be protected in their lives and property to the full extent of its power."[36]

General Sherman, on the 10th of April, sent the following dispatch:

GENERAL SHERMAN TO BRIGHAM YOUNG.

"A telegram comes to me from responsible officers that four men styled 'Gentiles,' have been murdered by Mormons, and that there is apprehension of further danger from this class. By 'Gentiles' I understand American citizens not of your religious belief. I am bound to give protection to all citizens, regardless of religious faith, and shall do so. These murderers must be punished, and if your people resort to measures of intimidation those must cease. All of our people must have equal rights within the limits of our national domain. I know little or nothing of the causes of local trouble in Utah, but it is well for you to know that our country is now full of tried and experienced soldiers who would be pleased at a fair opportunity to avenge any wrongs you may commit against any of our citizens, even in that remote region. I will soon have regular troops in Utah, and on the road leading there, when I hope we will receive reports on which to base accurate opinions, and I send you this message, not as a threat, but as a caution that a sensible man should heed. [Signed] W. T. SHERMAN.

Maj. Gen. Commanding Department.[37]

To this Brigham Young sent the following reply:

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36. See *Union Vedette* of April 21st, 1866; also "Rocky Mountain Saints," p. 616. The following telegram was sent to Gen. P. E. Connor, then in New York, from Associate Justice of the Supreme Court of Utah, Solomon P. McCurdy, who had performed the ceremony of the Brassfield-Hill nuptials:

"Great Salt Lake City, April 8, 1866.

"Brigadier-General P. E. Connor, Metropolitan Hotel, New York:—I married S. N. Brassfield to a Mormon woman, on the 28th ultimo. Brassfield was assassinated on the night of the 6th instant. I have been denounced and threatened publicly. Government officials here have telegraphed to the Secretary of War to retain troops here until others are sent to relieve them. Call on Secretary of War, learn his conclusions and answer; I feel unsafe in person and property without protection.

"SOLOMON P. MCCURDY,
"Associate Justice Supreme Court, U. T."

(*Deseret News* of Jan. 9th, 1867).

"A similar dispatch was forwarded by Colonel C. A. Potter, who was ordered to retain troops until the regulars arrived." Beadle's Life in Utah, 1870, p. 205.

37. The telegram sent by Sherman, which was not published in Utah until some months later, was represented as much more threatening than it really was. See *Union Vedette* of that period, April and May. 1866.

BRIGHAM YOUNG TO GEN. SHERMAN.

Great Salt Lake City, April 11, 1866.

Maj. General W. T. Sherman, St. Louis:

Sir:—Your telegram of yesterday is at hand, and contents duly considered. The reports that have reached you are not reliable, satisfactory evidence of which I will telegraph you as soon as the testimony of reliable gentlemen, not Mormons, can be had, say within twenty-four hours. B. YOUNG.

And the next day this was sent:

Great Salt Lake City, April 12, 1866.

Maj. Gen. W. T. Sherman:

Sir:—I am under many obligations to you for your kindness in telegraphing me respecting reports which have reached [you] from this place, as it affords me the opportunity of stating facts.

As nigh as we can learn there have been telegrams sent from here to the east which have not been reliable. Your telegram gives us some idea of their purport. There have been no such assassinations as alluded to in your dispatch. On March 17th, a soldier shot a gentleman named Mayfield, and a Mr. Brassfield came home and seduced a Mormon's wife, and was shot on the street by some unknown person; but neither I nor the community at large knew any more about it than an inhabitant of St. Louis. Citizens who are not of our faith do not suffer from intimidation here. In no other communities could men pursue the course many do here without experiencing the vengeance of a vigilance committee. The outrageous slanders they have circulated against us would have provoked such an outbreak elsewhere.

There are a few speculators here who are anxious to make it appear that American citizens' lives are in danger through religious fanaticism, hoping thereby to have troops sent here to make money out of contracts. Gentiles lives are as safe here as 'Mormons,' and acts of violence occur more rarely in this city than any other of its size in any of the new States or Territories. B. YOUNG.

CITIZENS OF UTAH TO GEN. SHERMAN

Maj. Gen. Sherman:

Sir:—We the undersigned residents of Great Salt Lake City, and not members of the Mormon Church, have read the above telegram of Mr. Young, and freely certify that we fully believe

that citizens of every class, who simply attend to their own business, are as free from intimidation and as fully respected in their rights in this city as in any part of the United States?

[Signed] W. Willard Smith, Lieut. Col. 6th U. S. V., commanding Camp Douglas; Capt. E. J. Bennett, C. S. Vols.; N. S. Ransohoof & Co., merchants; Ellis & Bro., merchants; J. B. Kimball, merchant; Bodenburg & Kahn, merchants; Walker Bros., merchants; F. H. Head, Superintendent Indian Affairs; Nounnan, Orr & Co., bankers; J. H. Jones, merchant; J. G. Hughes, representative of Holiday & Halsey, bankers; J. W. Calder, late Capt. N. C. Vols.; M. G. Lewis, ex-Assistant Adjutant General U. S. Vol.; Stebbins & Co., merchants.

GEN. SHERMAN TO BRIGHAM YOUNG

Brigham Young:

SIR:—Your dispatch is received and I am much gratified at its substance and spirit. [Signed] W. T. SHERMAN,
Maj. Gen. Com'dg Department.[38]

It was some time before the ill-feeling occasioned by this unfortunate circumstance—the killing of Brassfield—died out; and it has always been relied upon as "stock-in-trade" by anti-Mormon writers.

In addition to his telegraphic correspondence with Brigham Young, Gen. Sherman further manifested his interest in Utah affairs about this time, by requiring Brevet Brigadier Gen. O. D. Babcock, already appointed to make an inspection of the military ports of the west, to make a stay of several weeks in Salt Lake Valley in order to fully acquaint himself "with the threatened difficult question between the United States Government and the sect of people known as Mormons;" suggesting to him "the propriety of talking freely and plainly with these people, and particularly with the leader, President Young." These instructions and suggestions were admirably carried out by Gen. Bab-

38. For both of President Young's telegrams, see *Union Vedette* of June 1st, 1866; which copied all the above telegrams from the Missouri *Republican* of May 14th, 1866. Brigham Young's use of the phrase in referring to Brassfield's act—"seduced a Mormon's wife"—is justified by his belief in the charge against Brassfield already being a married man when going through the marriage ceremony with Mrs. Hill, referred to in the next a few pages back. The editor of the *Union Vedette* claimed that Lieut.-Col. W. Willard Smith, among the signers of the telegram indorsing President Young's statements, ordered his name removed by telegraph message; but for what reason is not very clearly defined.

JOHN TAYLOR

Successor to Brigham Young in the Presidency of the Church of Jesus Christ of Latter-day Saints.

John Taylor

cock, and a very intelligent report made from his observations. He found things both to praise and to censure; but the report was just, from his view point, and on the whole favorable to the Latter-day Saint community. The report was submitted to the War Department on October 5th, 1866; portions of which were laid before congress on the 3rd of January, 1867, by Secretary Stanton.[39]

The second homicide referred to, that of Dr. J. King Robinson, took place on the 22nd of October, 1866. He was decoyed from his home between the hours of eleven and twelve o'clock at night, upon the pretext that his professional services were required. A short distance from his house he was set upon by a number of men—seven in all were seen running from the vicinity of the assault—and killed.

The murder threw the whole city into a state of excitement. The deed was unstintedly denounced by all parties. The *Deseret News* in its account of the killing said: "There are acts which demand the expiation of blood, and this is one of them. . . .

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39. Gen. Babcock's report gives a summary of the movements of the Mormons until their settlement in Salt Lake Valley. He represented the people as chiefly engaged in agriculture and stock raising. "The cultivation of this country was necessary to the development of the gold mines in Idaho and Montana, for this new country was supplied with flour by the Mormons." * * * I saw a less number of idle people in Utah Territory than in any locality I ever visited. That these people were exasperated by the conduct of General Connor, and many officers in his command, there is no doubt. A more quiet or peaceful community I never passed four weeks with. * * * Along through Utah and Idaho the settlers were quite numerous and very thrifty." Mormon industry and success "commend these people to the kind consideration of the general government." Public opinion could be relied upon to cure the institution [polygamy] to which they cling with such fanatical faith, "and save our country all the elements of good citizenship they possess;" while a coercive policy would be disastrous. "Whenever called upon to aid in suppressing the Indians they have responded promptly, and I believe have rendered very efficient service. Brigham Young has three hundred men this season [summer of 1866] protecting the settlers of the southern portion of the Territory, from a band of bad Indians, under a chief by the name of Black Hawk; these men are furnished without complaining. They receive no compensation from the United States. If other Territories would exhibit similar dispositions, many of the Indian troubles would disappear."

Per Contra: "In the earlier days, when the people were more isolated, some of them, perhaps to the knowledge of the Church, committed very grave crimes;—among the worst the Mountain Meadow Massacre. Their militia instead of being under the control of the governor is under the authority of the Church, or Brigham Young." "During the rebellion I have no doubt but these people had but little sympathy with the Government, which they looked upon as their persecutor. * * * The Mormons were never called upon for a quota of troops. Had they been I believe they would have been filled with as much promptness as any call that was made. * * * This discussion is given to afford you an idea of the people with whom you are to treat in this Territory." Gen. Babcock's Report, so far as it relates to the Mormons, will be found in the *Deseret News* of Feb. 20th, 1867.

We sincerely trust that no efforts will be spared, and that the utmost vigilance will be exercised by the officers of justice and every one who can bring any light to bear on the subject, until the criminal or criminals shall be brought to justice."[40] The city offered a reward of $1,000 for the apprehension of the murderers; the county authorities duplicated this sum; by private subscription a reward of $7,000 was raised for the same object, making $9,000 in all. Brigham Young headed this list by subscribing $500.[41] Somewhat later President Young in a public address in the Salt Lake Tabernacle very roundly denounced the crime, classifying it with the massacre at Hauns Mill, in Missouri, with the slaying of Joseph and Hyrum Smith at Carthage, and the Mountain Meadow Massacre, and urged that no efforts be spared to find the murderers.[42]

An inquest was immediately held in Salt Lake City, before Judge Peter Clinton, the city coroner, who was assisted on the bench by Chief Justice Titus of the Supreme Court of the Territory and Associate Justice Solomon P. McCurdy. Special council were also brought into the case. With Seth M. Blair, Territorial prosecuting attorney, and Hosea Stout, the City Attorney, was associated Captain C. H. Hempstead, late of the California Volunteers; and to these were added, later, Hon. John B. Weller, Ex-Governor of California, and Thomas Marshal, Esq., then and subsequently a prominent member of the Utah bar for many years. Certainly nothing was lacking in dig-

40. *Deseret News*, weekly, of Oct. 31st, 1866.

41. See *Deseret News* of Oct. 31st, 1866. Other prominent members of the Mormon Church subscribing to this fund a like sum were W. S. Godbe, Wm. H. Hooper, Wm. Jennings, Kimball & Lawrence; Walker Brothers, Mormon Merchants, subscribed $600. A number of others subscribed $200 and $100. See *Deseret News* of Oct. 31st, 1866, for a complete list.

42. It is due to the President that his remarks on the subject be given at length: "I will tell the Latter-day Saints that there are some things which transpire that I cannot think about. There are transactions that are too horrible for me to contemplate. The massacre at Haun's Mill, and that of Joseph and Hyrum Smith, and the Mountain Meadow's massacre, and the murder of Dr. Robinson are of this character. I cannot think that there are beings upon the earth who have any claim to the sentiments and feelings which dwell in the breasts of civilized men who could be guilty of such atrocities; and it is hard to suppose that even savages would be capable of performing such inhuman acts. To call a physician out of his bed in the night under the pretext of needing his services, and then brutally kill him in the dark, is horrible. "Have you any idea who did that horrible deed?" I have not the least idea in the world who could perpetrate such a crime. I say to all concerned, cease not your efforts until you find the murderers; and place the guilt where it belongs. (*Deseret News* of Jan. 9th, 1867, also Journal of Discourses, Vol. XI, p. 281).

nity and power and ability in the Coroner's court, yet successive sessions through eight days could reveal nothing further than was expressed in the final decision of the coroner's court--

"The deceased died by the hands of some persons unknown to the Jury."[43]

The unfortunate division of the community into two hostile parties, Mormon and Anti-Mormon, doubtless affected this inquiry as it did nearly every criminal act and the investigation of it in the city or Territory during those troubled years. On the one side it was surmised that Dr. Robinson had been killed by parties carrying out secret instructions from leading Mormon Church authorities, in the furtherance of their alleged hostility to the presence of Gentiles in the Territory; and on the other side it was claimed that in the investigation the whole effort was to fasten the crime, in any event, upon the leaders of the Mormon Church, or their supposed agents; that when the developing evidence failed to give promise of this result the formidable array of Gentile lawyers engaged in the case lost interest in it, and failed to push the inquiry into any other direction.[44] Especially was an effort made to lay the responsibility for the crime upon the Tabernacle utterances of Brigham

43. See *Deseret News* of Nov. 14, 1866.

44. The speech of ex-Governor Weller was wholly devoted to fixing suspicion for the Robinson homicide upon the Mormon Church leaders. See *Deseret News* of Nov. 14th, 1866. Also in Rocky Mountain Saints, Appendix, pp. 735-741, where Stenhouse gives Weller's first speech complete—excepting the closing paragraph—but fails to give the very effective and spirited answer to it by the city attorney, Hosea Stout, Esq. (See *Deseret News* of Nov. 14th, 1866). As an example of this tendency of the inuiry, the city attorney, replying to some remarks by ex-Governor Weller in the case, cites how a Mormon policeman, Mr. Heath, was seen moving from the vicinity of the murder and was suspected, and arrested on the charge of murder. It was clearly proved, however, that he was but on an errand of mercy at the time "going for a doctor for the suffering man." (Dr. Robinson was not instantly killed, but never regained consciousness after the assault upon him). "Another man is brought on the stand," says Mr. Stout, "who was himself close by the murder and saw it done, he swears; he avers things that are impossible. What is the result? It is said he must have lied. No one wants him referred to. He was not a Mormon; 'don't have him arrested,' notwithstanding a pistol was found on the street, subsequently, on the way that some of the presumed assassins ran and (was) claimed by him. * * * The whole effort is to make this (case) a means of raising party spirit" (*Deseret News* of Nov. 14th, 1866). The same impression of the *News* editorially refers to the same matter. and adds: "Was not everything that had the slightest appearance of throwing blame upon a 'Gentile' carefully avoided? And was not every item of information tending to fasten blame upon a 'Mormon' vigorously followed up?" (*Id.*) Mr. Stout also said: "If the murders could not be detected in that direction, [i. e., among the Church leaders] it did seem to me from the gentleman's speech (ex-Governor Weller's), and the course pursued, that they had no use for any further knowledge of it." (*Id.*)

Young.[45] President Young, however, defied with great vigor all the anti-Mormon animus displayed; and boldly challenged them to the proof of the issue they had raised,[46] but nothing came of it.

The circumstances that led up to the suspicion that the city police were implicated in the assassination of Dr. Robinson,

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45. See list of nineteen questions submitted at the inquest in the speech of ex-Governor Weller, in which the following are numbered:

"Is there not an organized influence here which prevents the detection and punishment of men who commit acts of violence upon the persons or property of 'Gentiles?'"

"Was the murder committed for the purpose of striking terror into the 'Gentiles' and to prevent them from settling in this Territory?"

"Are all legal questions which may arise in this city between 'Mormons and Gentiles' to be settled by brute force?"

"Do the public teachings of the 'tabernacle' lead the people to respect and obey the laws of the country, or do they lead to violence and bloodshed?"

To the question as to whether or not there was an "organized influence" in Utah to prevent the regular and just enforcement of the law, the city attorney, Mr. Stout, declared most emphatically that there was, but that it existed among a scheming coterie of U. S. officials and their immediate non-Mormon associates. "Ever since this has been a Territory," said Mr. Stout, "Judges have been trying to nullify the efforts of the legislature. 'The legislature cannot make this law! Now [to the criminals] you may go and steal!' This has been the practical working. And yet here we are accused of systematized organization to break the law that we have had such a constant struggle to sustain." Earlier in his speech Mr. Stout had said that the police had been severely catechised as to whether or not there were secret combinations in Salt Lake City "to commit crime, to violate the law, to trample on the rights of citizens, and to take life. There was no information elicited at that period to show that this was the case." "I informed the gentleman who spoke," said Mr. Stout, "that there were such combinations in this city, and I knew it, but had not proof sufficient for a court of justice—combinations to violate the law and set it at defiance, and do as they pleased independent of law. I requested that the gentleman would prosecute that inquiry vigorously with every witness called; but after the examination of the police was through, I do not think the question was asked. Yet combinations of this nature do exist to the knowledge of this court and jury. They have covenants that the members will not testify against each other in courts of justice; and they do as they please despite of the law. Why was this not enquired into? The inquiry went direct to the President in the stand [i. e., to President Young], and no where else. (*Deseret News* of Nov. 14th, 1866, p. 395).

46. "Ex-Governor Weller was assisted in the investigation of this matter [the killing of Dr. Robinson,"] said the President, "by the best counsel that could be had. The great drift of that investigation was to trace that murder to the pulpit of the Tabernacle. I sent word to them by those who I thought would tell them while they were in session where they sat day after day and week after week, not to cease their investigations until they had traced that murder to Brigham Young if it was possible. I also sent word to them to call upon Brigham Young for examination. * * * If President Young is guilty of any such crime, trace it to him. * * * If the outsiders think that I am guilty of the crime, let them trace it to me and prove it on me. If any man, woman or child that ever lived has said that Brigham Young ever counseled them to commit crime of any description, they are liars in the face of heaven. If I am guilty of any such thing, let it be proved on me, and not go sneaking around insinuating that Brigham knows all about it. Infernal thieves will come into my public office and sit ten minutes, and then go out and lead thoughtless persons into the practice of thieving, saying: "It is all right; I have been up to see the President. Such men will be damned." (Discourse of Dec. 23rd, 1866; Journal of Discourses, Vol. XI, pp. 280-282.)

inspired there to, as was alleged, by Brigham Young, are as follows:

Salt Lake City and vicinity was just then passing through a land-jumping experience, that created great uneasiness among the people. The rumor had evidently gone forth that defective titles, or technically, no land titles at all were legally held by Salt Lake City, and that much of the land claimed by the city and highly valuable, might be entered as public domain, since it was questionable if the Territorial legislature had really taken all the necessary steps to create a legal municipal government. In anticipation of the litigation that would arise from these conditions there was an influx of attorneys into Salt Lake City, who were looking for profitable employment. Writing to his sons, Brigham Young, Jr., and John W. Young, under date of Aug. 11th, 1866,—both being upon missions in England at the time, and the former the President of the European mission—President Brigham Young said:

"We have had quite an influx of lawyers into the city of late. Like the birds of prey they snuff the carcass from afar. Business is poor where they have been; but they imagine that with the land claims and other business the enemies of the truth promise them here, they will reap an abundant harvest. Armies have not been found to operate well in breaking us up, but it is now hoped that vexatious law suits and setting up and enforcing claims for our land, may do it."[47]

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47. *Mill. Star,* Vol. XXVIII, p. 604. The President also made public allusion to these characters. Speaking in the Tabernacle, in Salt Lake City, on the 12th of August, 1866, he said: "Brother George A. Smith this afternoon has referred to the lawyers. Where the carcass is there will the eagles be gathered together, and it seems they think that there is one here to which they are gathering. I want them to live here; but I want them to plant their own potatoes and hoe them. It would appear that they think that a civilized community cannot live long together without contention and consequent law suits. I think that a community is civilized so far as it is free from contentions, law suits and litigation of every kind. We wish our friends to come here, and participate with us in the good things the Lord has provided for His people; but we do not want contention. * * * What is the true relationship of lawyers to the law and to the community? They should be the true representatives of peace; it should be their business to promote it. * * * It should be considered beneath the profession of a lawyer to endeavor to clear the guilty, and place the innocent in bonds or bring them into disrepute. I wish to say to that class of gentlemen who are here, that if they expect to break up this people by law suits, I think they will have a hard time. I will use my influence with every good man, whether he is in the Church or out of it, never to think of going to law. What comes of litigation? Poverty and degradation to any community that will encourage it. Will it build cities, open farms, build railroads, erect telegraph lines, and improve a country? It will not; but it will bring any community to ruin. * * *

ber of attempts were made to jump land claims; the city's public squares were threatened and these public places were fenced to prevent "squatters" from settling upon them. The militia parade ground over Jordan, west of the city, the city's race course, together with some private claims on the east side of the river were seized by land jumpers. The result was that great excitement was aroused and measures taken to resist these encroachments upon the rights of the city, and upon the rights of the old settlers. "Several of the citizens of Salt Lake City," says a passage in the manuscript History of Brigham Young, "went to the race course on the other side of Jordan, a little south of the sixth ward bridge, and ducked in the river some 'squatters' who had laid claims to the land over there. They begged for their lives and promised to quit the country. Some board buildings on this the [east] side of the river, a little north of the main Jordan bridge, was summarily taken down and thrown into the river. Considerable excitement [has existed] of late in relation to squatting on lands near this town, which has caused the 'City Fathers' to survey the land lying east of the 20th Ward and the 11th Ward, and give it out gratuitously to the brethren by drawing lots."[47½]

Through the months of August, September, and October a num-

We have not been broken up, as has been anticipated, by military force, and now it is expected that a course of law suits will accomplish what the military failed to do. I will say one thing to my friends, or to my enemies, as they may consider themselves (I myself am not an enemy to any man, yet I am an enemy to some actions), if you undertake to drive a stake in my garden with an intention to jump my claim there will be a fight before you get it; if you come within an enclosure of mine with any such intent, I will send you home, God being my helper. You can occupy and build where you please, but let our claims alone. We have spent hundreds of thousands of dollars in taking out the waters of our mountain streams, fencing in farms and improving the country, and we cannot tamely suffer strangers, who have not spent one day's labor to make these improvements, to wrest our homesteads out of our hands. There is land enough in the county: go to and improve it, as we have improved our possessions; build cities, as we have done, and thus strive to reclaim the country from its wild state. Is it not a strange thing that men cannot see anything only what the 'Mormons' possess; hence, I swear it, by the Gods of eternity, if we are obliged to leave this country, we will leave it as desolate as we found it, and we will hunt those who would compel us to leave to the last minute. Let us alone, and help us to build up cities and towns and villages in these mountains, instead of seeking to destroy the few industrious inhabitants that are here and have made the country." (Journal of Discourses, Vol. XI, pp. 257, *et seq.*)

47½. Hist. of Brigham Young, *Ms.*, 1866, p. 752. Stenhouse says that the parties who promised to leave the country were Lieutenant Brown and Dr. Williamson, formerly of the California Volunteers, and that they "accepted the interference, and promised to leave the country, which they did" (Rocky Mountain Saints, p. 618).

The spirit of this land-jumping regime in and about Salt Lake City, and the manner in which responsibility for whatever was done in resisting it was attributed to Brigham Young, is well expressed in a letter from President Young to his son, John W. Young, under date of September 27th, 1866:

"Attempts have been made by various ones of our enemies here to 'squat' upon our public squares, parade ground, race course, etc., and in the city these public places have been fenced to prevent 'squatters' from settling upon them. The city and individuals have been compelled to go to considerable expense to guard against these depredators. They would not leave us a spot of ground to stand on, if they had the power to crowd us out. The other night a number of persons made a descent upon some of those 'squatters' and gave them a thorough fright. It is not known who they were, but there has been some little excitement among a certain class in consequence, and they would like to fasten the instigation of these operations on me, if they could. The inconsistency of our enemies on all such matters is surprising. When it suits their purposes to say that my influence and power are decreasing, and that the people are becoming regenerated and enlightened, then they will assert that, and try and make the world believe that the over throw of the Priesthood is on the eve of being accomplished. But on the contrary, when their purposes are better suited by stating that I am the author of every movement among the people, they will state that also. They are unwittingly led to acknowledge, in this way, the power and authority of the Priesthood.[48]

It was during this land-jumping regime that Dr. Robinson seized upon the Warm Spring property, a tract of about eighty acres of land, with warm mineral spring upon it within the northern limits of the city corporation. The city had covered the springs with buildings, and for sixteen or seventeen years, either directly or indirectly, had conducted the place as a public bathing resort. In assertion of his claims Dr. Robinson erected a shanty upon the property, which the city council ordered the marshal to destroy, and eject the intruder. This action was tak-

48. *Mill. Star,* Vol. XXVIII, p. 733. The *Union Vedette* sought to justify these land seizures on the plea that the lands were not occupied or put to use by their owners; meantime men who had served their country as soldiers were kept from occupying them; a ridiculous contention in view of the amount of public lands then available for such persons, without jumping the claims of other people. (See *Union Vedette* of Oct. 19th and 23rd, 1866.)

en, whereupon the case was brought before the chief justice of the Territory, Judge Titus, who rendered a decision against the contention of Dr. Robinson, which was that the corporation of Salt Lake City had no legal existence because the acts of the legislature of the Territory of Utah for 1859-60, containing the charter of Salt Lake City corporation, were not submitted to the president and Congress of the United States as required by the Organic Act of the Territory. In proof of this contention the Journal of the House of Representatives of the United States for 1860-61, was produced, "an inspection of which *disclosed no minute of the receipt by that house of the laws of Utah for* 1859-60."[49] Such the contention which Judge Titus over-ruled in favor of the City. In addition to this controversy over the Warm Springs property Dr. Robinson owned a "bowling-saloon" or "alley," which, on complaint of citizens that it was a nuisance, a gambling den, and a place where liquor was sold contrary to the city ordinance, the police entered and demolished.[50] The case was taken before the courts by Dr. Robinson and was pending at the time he was killed. On the 20th of October Robinson, under the advice of his counsel, had gone to the house of the Mayor of the city, Daniel H. Wells,[51] to give notice that he intended to hold the city responsible in damages for the destruction of the bowling alley. As soon as the mayor learned who the Doctor was he ordered him from his house.

Aside from these unpleasant relations with the city, Dr. Robinson is said to have been a man of good character. He was a native of the state of Maine, but came to Utah from California in 1864, under an appointment as assistant surgeon at Camp Douglas. When the California volunteers were mustered out of service Dr. Robinson took up the practice of his profession

49. The decision of Judge Titus will be found complete in *Deseret News* of October 24th, 1866. It is a very carefully prepared decision; and was submitted in writing that it might "be reviewed and rectified by a higher tribunal, if erroneous."

50. "It was a gambling-house, and a liquor hell-hole besides, diametrically opposed to the city ordinances, and that is within the knowledge of members of this court to my knowledge. Then why make a sanctified thing out of that?" Speech of city attorney in open court at the Robinson inquest. *Deseret News* of Nov. 14th, 1866.

51. General Wells had been elected Mayor at the municipal election in Feb., 1866, four months after his return from the Presidency of the European mission, Oct., 1865. He succeeded Abraham O. Smoot, who had served as mayor for more than nine years.

in Salt Lake City. He married the daughter of John M. Kay, who had been a prominent Elder in the Latter-day Saint Church,[52] though the branch of his family into which Dr. Robinson married had become indifferent to the faith. Dr. Robinson was an active member of the anti-Mormon clique in Salt Lake City, a personal friend of Rev. Dr. McLeod (then delivering anti-Mormon lectures in Salt Lake City), and the superintendent of the "Gentile Sunday School." None of these facts and relationships pertaining to the Doctor could have any bearing upon his assassination, except his controversies with the city, and these were not serious enough to warrant the belief that they constituted the motive for murdering him. The effort was made at the inquest, as already stated, to fasten moral responsibility for the crime upon the Tabernacle teaching of the Mormon Church authorities; and the actual crime upon the city authorities acting through the police force; but ex-Governor Weller, chief counsel in the Robinson inquest, in his second speech was forced to say: "I have not one particle of proof to fasten this murder upon the police of this city. . . . I have no evidence to charge the police with this murder; but I do charge them with want of vigilance. . . . Gentlemen of the jury, I have no doubt about your verdict—that this man [Robinson] was killed by a band of six or seven men unknown to you. Again I say that I have not one particle of evidence by which I could fasten upon any single individual that I believe was engaged in this murder. If I had, before God I would avow it."[53]
and concealment the fatal violence was resorted to." Stenhouse

Stenhouse doubtless suggests the most reasonable hypothesis of the unfortunate and indefensible affair, *viz.* that the killing of Robinson was not a premeditated murder; that the design was "to give him a beating and some rough usage," as they had others engaged in these land-jumping operations. But Robinson was a young, athletic man, and when he first discovered so many men of evil purpose about him, he very likely became alarmed, "and in seeking to disengage himself from them, probably recognized some of them, and for their own protection

52. John M. Kay died on the Little Laramie, on the 26th of Sept., 1864, when returning from a mission in England.

53. *Deseret News* of Nov. 14th, 1866.

further suggests that if there had been a settled purpose to kill the Doctor it does not seem reasonable that seven men would have been entrusted with the work—"they were too many to entrust with such a secret; neither would they have attacked him within seventy-five steps from his own door, and at a place surrounded by houses."[54] This hypothesis seems all the more reasonable when considered in connection with the general land-grabbing regime that had been instituted by the non-Mormon population of the city, and the manner in which it had been met by the old citizens, namely, by beating and ducking in Jordan and otherwise intimidating the intruders upon their lands. And while even these minor acts of violence and intimidations are not justifiable in a civilized land, and under a regular government, it is some measure of relief, and due to the vindication of our human nature, to set down the probabilities that point to some intent less vicious than deliberate and cowardly assassination on the part of those implicated in the Robinson homicide.

Meantime the fact should not be lost sight of that these actions in resistance of land-jumping—indefensible as confessedly they are before the bar of public opinion, of civilization, and of history—are not singular to Utah, the *habitat* of the Mormon people. What was done in that Territory has been done in every state and Territory where the offense of claim-jumping, either in lands or mines, has made its appearance—*viz,* physical community resistance to such intruders, though the violence was illegal. Thomas Ford, Governor of Illinois from 1842-1846, has noted a period of land-jumping in the history of Illinois that is most instructive, on the subject for which he uses it, *viz,* the consideration of "The Cause of Mobs in a Free Country." The passage follows:

and whole villages of six or eight hundred inhabitants, were built

"Previous to the year 1840, other mobs were rife in the northern part of the state. The people there had settled without title, upon the public lands of the United States, which were then neither surveyed nor in market, and they had made valuable improvements on these lands, by building mills worth ten thousand dollars, opening farms, frequently of four or five hundred acres,

54. Rocky Mountain Saints, pp. 618-9.

on them. By a conventional law of each neighborhood, the settlers were all pledged to protect each other in the amount of their respective claims. But there were mean men, who disregarded these conventional arrangements. Such as these belonged to that very honest fraternity, who profess to regulate all their dealings by the law of the land. Such men had but little regard for public opinion or abstract right; and their consciences did not restrain them from "jumping" a neighbor's claim, if they could be sustained by law and be protected against force. It soon became apparent to every one, that actual force was the only protection for this description of property. And although the most of the settlers were from the eastern states; from the land of steady habits, where mobs are regularly hated and denounced, and all unlawful fighting held in abhorrence; yet seeing themselves left without legal protection and subject to the depredations of the dishonorable and unscrupulous, they resolved to protect themselves with force. Many were the riots and mobs in every country, arising from this state of things. Every neighborhood was signalized by some brawl of the kind. The old, peaceful, staid, puritan Yankee, walked into a fight in defense of his claim, or that of his neighbor, just as if he had received a regular backwoods education in the olden times. It was curious to witness this change of character with the change of position, in emerging from a government of strict law to one of comparative anarchy. The readiness with which our puritan population from the east adopted the mobocratic spirit, is evidence that men are the same everywhere under the same circumstances. That which any man will do, depends more upon his position, upon the laws and government, and upon the administration of the laws, than to mental or physical constitution or any peculiar trait of character or previous training."[55]

If further evidence were necessary in proof of what is here set forth, that violent resistance to land-jumping is not confined to Utah, it would be found in the history of land-jumping in and about Sacramento, California, from 1848-1850, in which lawlessness prevailed well nigh to the point of anarchy; riots were frequent, and bloody reprisals followed one another in rapid succession.[56] Similar troubles were experienced in San Francisco

55. Ford's Hist. of Illinois, 1854, pp. 245-6.

56. See Bancroft's Hist. of California, Vol. VI. It takes six pages of fine print notes to detail the account of the riots and other lawless acts in resistance of land-jumping in the city of Sacramento alone, which the author gathers and condenses from the California periodicals then current.

intermittently from 1851 to 1854, resulting in fights between the "squatters" and the officers of the law who were ordered to eject them. In 1853, "all about San Francisco, at the presidio and the mission, lots were settled upon without title. One of the public squares was treated as public domain. The Odd Fellows Cemetery was seized, which two years before had been conveyed by deed to the Society by Sam Brannan." "It was believed," says Bancroft's account of these San Francisco land-jumping cases, "that an organization of wealthy men was at the bottom of the squatterism of 1853, who furnished means for carrying on the seizures of lots with a view to obtaining the lion's share." He relates how in June, 1854, "a pitched battle" was fought between a party of "squatters" on a Mr. Folsom's property on First Street, and a party of fifteen placed to defend it. One man was killed and several persons wounded. "After this affair the property holders in San Francisco," Bancroft declares, "organized, and forty-eight policemen were added to the force. Houses were fortified and besieged. At one house on Green Street a woman holding a child in her arms was shot and killed. *The occasion of this outbreak* [i. e. of "squatterism"] *was that the title of the city of San Francisco was undergoing examination by commissioners; all kinds of rumors were afloat, and* opportunities supposed to be afforded of securing lots. For several years more these troubles were recurring."[57] One scource of the land-jumping troubles in California during these years was clearly indicated by the *Sacramento Union* of June 29, 1855. It suggested as a remedy of the evil that the people "*fee no law-years.*"[58] In 1856 came the famous Green case, during the continuance of which the vigilants arrested the holder of important documents concerning the city's title to the mission lands, on a trumped-up-charge, in order to get possession of those documents, which Green himself had obtained by trickery from Tiburcio Vasquez, and which he sold to his captors for $12,500, though he brought suit afterward for $50,000 damages, of which he got $150.

These instances of lawlessness in California and Illinois are

57. Bancroft's Hist. of California, Vol. VI, pp. 334-5, note.
58. Green's Life and Adventures, *Ms.*, 1-86, quoted by Bancroft, *Id.*, p. 335.

not cited here in justification of cases of lawlessness that occurred in Salt Lake City in resistance of land-jumping. The purpose is to show that such acts are not peculiar to Utah, and a Latter-day Saint community; but are practically the same in every state or Territory of the United States where they occur; only that in Utah, the *habitat* of the Latter-day Saints, the provocation with all attendant circumstances considered, including the ability of said community to resist the arrogance and injustice involved in the aggression upon their rights, the Utah cases, as compared with what was done in kind in other communities, are very few, and the punishment inflicted mild.

The "squatters" as the land-jumping aggressors were called, quite generally received sympathy and encouragement from the Gentile population, from the non-Mormon merchant firms, and the anti-Mormon press—the *Union Vedette;* and such was the bitterness engendered by this course, that as a measure of retaliation and protection to the Mormon community, against whom the aggressions of land-jumping was aimed, a boycott was advised against individuals and firms known to be in sympathy with these and other measures—some of them of a political character—against the old settlers of Utah.

The Latter-day Saints, primarily engaged as they were in founding settlements, constructing roads, erecting local telegraph lines, preaching the gospel, and gathering the poor from the various nations where they received it, had allowed the more lucrative and easily managed business of merchandizing and banking, to gravitate very largely into hands of the non-Mormons of the community.[59] At the October conference of

59. In July, 1860, Captain W. H. Hooper, John Sharp, Bishop E. D. Woolley, Daniel H. Wells and a number of other leading brethren had proposed to President Young the organization of a wholesale "Merchants' Association Company" for the shipment and sale of merchandise in the Territory. The purpose of the association was to be not so much the creation of a mercantile establishment, as to benefit the community by establishing more reasonable prices for necessary merchandise. A thing very necessary, and emphatically pointed out by the remarks of Bishop Edwin D. Woolley, who said "that it was time something was done to stop the bleeding of the people in regard to means. He said there was a prejudice existing against any Mormon who embarked in the business of merchandising, but there was no prejudice against any person who did not belong to us, no matter how much they imposed upon the people, and when trouble came upon us would pack up their goods and the immense fortunes they had made and leave us to ourselves to bear the burden." (Hist. of Brigham Young, *Ms.*, 1860, p. 233). As explained by Captain Hooper the plan was to establish an association—in which the shares would be $100 each, drawing interest at ten *per centum per annum,*—doing business on the

1865, however, President Young advised a change in this policy; and urged the brethren to enter into trade and establish themselves in the business of merchandizing. Too long the community had been sustaining many who had little or no interest in the community welfare, and it was time that the Latter-day Saints in their own interests, in many ways, pay more attention to this department of business activity.[60]

With the bitterness that ensued during the land-jumping period it was inevitable that discrimination would be made in trade, and that each class in the rapidly rising feud would sustain those who were its friends. This tendency found encourage-

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wholesale principle. "Open a ledger account with each article, showing profit and loss upon each article, and at the end of three years strike a dividend and pay to each member of the association his share of profit, *pro ratio* of the goods and cash." When the plan was submitted to President Young, however, while he conceded that in a general way the proposition was a good one, he doubted the willingness of the people to trust their means in such an enterprise, and suggested as a counter-proposition the larger encouragement of home manufactures, as at that time it would be more advantageous to the community to manufacture than to import goods. He was opposed to the plan suggested, that kind of business, was not for the Latter-day Saints (doubtless meaning for the time being); the Kingdom was for them [i. e., preaching the gospel and gathering the Saints]; that the plan if adopted would fail. At this the scheme was abandoned, and the meeting of the association adjourned *sine die*. (Hist. of Brigham Young, *Ms.*, entries for July 4th and 11th, 1860, pp. 233, 234.)

60. "We propose to the Bishops, Presiding Elders and leading members of the Church, who are here assembled to represent the kingdom of God upon earth," said President Young, "and to all those who are not here, who act in these capacities in the various places where there are Saints gathered together, to do their own merchandizing and cease to give the wealth which the Lord has given us to those who would destroy the kingdom of God and scatter us to the four winds, if they had the power. Cease to buy from them the gewgews and frivolous things they bring here to sell to us for our money and means—means that we should have to bring the poor here, to build our temples, our towers, ornament our public grounds, and buildings, and to beautify our cities. For, as merchandizing has been generally conducted here, instead of having our means to perform these public works, it has been borne away by our enemies by the million.

I wish the brethren, in all our settlements, to buy the goods they must have, and freight them with their own teams; and then let every one of the Latter-day Saints, male and female, decree in their hearts that they will buy of nobody else but their own faithful brethren, who will do good with the money they will thus obtain. If we have not capital ourselves, there are plenty of honorable men whom our brethren can enter into partnership with, who would furnish and assist them whenever they should receive an intimation to that effect. * * * I know it is the duty of this people to build up themselves; for our enemies will not build us up, but they will do their uttermost to tear us down. This will not apply to all; but there are enough to bark, and yelp, and growl, and snarl till the peaceable, good meaning man dare not open his mouth. We have thousands of warm hearted friends who dare not say anything in favor of this people. If nobody will speak for us, let us speak for ourselves; if no person else will do anything for us, let us do something for ourselves. This is right; it is politically right, socially and morally right, and it is right in every sense of the word for us to sustain ourselves. (Conference Remarks Salt Lake City, Oct. 9, 1865, Journal of Discourses, Vol. XI, pp. 139-40.)

ment in public speeches, and in the press. So sharp were the lines of separation between the two classes being drawn, and so discouraged did the Gentile merchants become—or affect to become—over what they represented as the evident desire of the Mormon Church leaders to have all not of their religious faith leave the Territory, that they made a proposition for an exodus on their part. They based their action on what they called the "intimidating" and the "coercing" of the community to purchase only of such merchants as belonged to the Mormon faith; and late in December, 1866, the Gentile merchants, and Gentile firms, with one or two Mormon sympathizing firms,—twenty-three in all—submitted in writing to the "Leaders of the Mormon Church" the following proposals: (1) that there should be the payment of all outstanding accounts owing to them by the members of the Mormon Church; (2) that all their goods, merchandise, chattels, houses, improvements, etc., to be taken at a cash valuation, they to make a deduction of twenty-five per cent. from the total amount. "To the fulfillment of the above we hold ourselves ready at any time," said their published card, "to enter into negotiations, and on final arrangement being made and terms of sale complied with, we shall freely leave the Territory."[61]

To President Young replied in a signed statement, declining to accept the proposition, and pointing out that if they could make such sales as they proposed they would make more money than any merchants had ever made in this country before, and Mormon merchants would like to find purchasers on the same basis.

The President's statement relative to the Gentiles withdrawing from the country, as also with reference to the class against which a boycott had been waged, and to whom alone it was then to be applied, are particularly strong, and for that reason are quoted:

"Your withdrawal from the Territory is not a matter about

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61. *Deseret News* of Jan. 2nd, 1867. The signing firms and individual merchants were as follows: "Gilbert & Sons; Walker Brothers; Bodenhorn & Kahn; Wm. Sloan; C. Prag, of the firm of Ransohoff & Co.; Ellis & Bros., by J. M. Ellis; McGeorge & Henry; J. Meeks; F. Auerbach & Bros.; Seigel Bros.; Oliver Durant; L. Cohn & Co.; S. Lesser & Bros.; Klopstock & Co.; John H. McGrath; Glickman & Cohn; Willson & Fenn; Morse, Walcott Co.; J. Wanters; J. Bauman & Co.; M. B. Callahan; Morris Elgutter; Thos. D. Brown & Sons. (*Id.*)

which we feel any anxiety: so far as we are concerned, you are at liberty to stay or go, as you please. We have used no intimidation or coercion towards the community to have them cease trading with any person or class, neither do we contemplate using any such means, even could we do so, to accomplish such an end. What we are doing and intending to do, we are willing that you and all the world should know. In the first place, we wish you to distinctly understand that we have not sought to ostracise any man or body of men because of their not being of our faith. The wealth that has been accumulated in this Territory from the earliest years of our settlement by men who were not connected with us religiously, and the success which has attended their business operations prove this. In business we have not been exclusive in our dealings or confined our patronage to those of our own faith. But every man who has dealt fairly and honestly, and confined his attention to his legitimate business, whatever his creed has been, has found friendship in us. To be adverse to Gentiles because they are Gentiles, or Jews because they are Jews, is in direct opposition to the genius of our religion. It matters not what a man's creed is, whether it be Catholic or Episcopalian, Presbyterian, Methodist, Baptist, Quaker, or Jew, he will receive kindness and friendship from us, and we have not the least objection to doing business with him; if in his dealings he act in accordance with the principles of right and deport himself as a good, law-abiding citizen should.

"There is a class, however, who are doing business in the Territory, who for years have been the avowed enemies of this community. The disrupture and overthrow of the community have been the objects which they have pertinaciously sought to accomplish. They have, therefore, used every energy and all the means at their command to put into circulation the foulest slanders about the old citizens. Missionaries of evil, there have been no arts too base, no stratagems too vile for them to use to bring about their nefarious ends. While soliciting the patronage of the people, and deriving their support from them, they have, in the most shameless and abandoned manner, used the means thus obtained to destroy the very people whose favor they found it to their interest to court. They have done all in their power to encourage violations of law, to retard the administration of justice, to foster vice and vicious institutions, to oppose the unanimously expressed will of the people, to increase disorder, and to change our city from a condition of peace and quietude to lawlessness and anarchy. They have donated liberally to sustain a corrupt and venal press, which has given publicity to the most atrocious libels respecting the old citizens.

"And have they not had their emissaries in Washington to misrepresent and vilify the people of this Territory? Have they not kept liquor and surreptitiously sold it in violation of law, and endeavored to bias the minds of the judiciary to give decisions favorable to their own practices? Have they not entered into secret combinations to resist the laws and to thwart their healthy operation and refused to pay their taxes and to give the support to schools required by law?

"What claims can such person have upon the patronage of this community? And what community on the earth would be so besotted as to uphold and foster men whose aim is to destroy them? Have we not the right to trade at whatever store we please? Or does the Constitution of the United States bind us to enter the stores of our deadliest enemies and purchase of them? If so, we should like that provision pointed out to us. It is to these men whom I have described, and to these alone that I am opposed, and I am determined to use my influence to have the citizens here stop dealing with them and deal with honorable men."[62]

In a discourse delivered two days later President Young alluded to this communication of the Gentile merchants, and emphasized his position in distinguishing between Gentiles and Jews who were pursuing what he considered an honorable course, and those who were avowed enemies of the people, and the disturbers of the peace of the community. He declared his intention to continue to have business relations with the former, and to let the others alone: "We advise you," said he to his people in conference assembled, "to pass by the shops and stores of your enemies and let them alone, but give your means into the hands of men who are honest men, honorable men, and upright men—men who will deal justly and truly with all. Shall we deal with the Jew? Yes. With those who call themselves Gentiles? Certainly. We calculate to continue to deal with them."[63]

The Gentiles merchants were scarcely complimentary to the intelligence of President Young when they made this proposi-

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62. *Deseret News* of Jan. 2, 1867. The document quoted bears date of Dec. 21st, 1866.

63. Journal of Discourses, Vol. XI, p. 277, *et passim*. A strong editorial on the subject appears in the impression of the *News* of Jan. 2nd, 1867, under the caption "*The Trading Question*."

tion to withdraw from the Territory on the conditions named by them. If the "Gentile" claim that there was utter incompatibility between Mormon and non-Mormon in Utah could have been emphasized by a spectacular exodus of Gentile merchants from Utah, however brought about, it doubtless would have given occasion for another Utah expedition to the Territory or such other military display as would have inured to the benefit of speculators, contractors, and merchants, or to the long-hoped for further prescription of the Latter-day Saints. Surely the Gentile merchants should have known if their action had such motive as this, that Brigham Young would have detected it; and if not, if their proposed exodus was honest and meant only that they intended to withdraw from an unpleasant situation, to end merely in their personal advantage, then they should have known that Brigham Young would know that the people of the United States would read into the facts of the exodus all the evidence they would need of the alleged incompatibility, to justify, from their viewpoint, all the coercive measures against the Mormon community for which their enemies were clamoring. Brigham Young could not fail to apprehend the danger, and accordingly avoid it.[64]

64. Whitney suggests this line of treatment of the incident. See Hist. of Utah, Vol. II, pp. 166-7.

Historic Views and Reviews

Fine Americana in Auction Market.

Interesting letters by George Washington and Abraham Lincoln are among the autographs from the library of the late Bishop William Croswell Doane of Albany and from other collections, sold by the Anderson Auction Company this week.

Washington's letter, four pages quarto, Mount Vernon, Sept. 16, 1799, is addressed to James Anderson, who was manager of the Mount Vernon estate. Washington informs him that different arrangements are desired for the ensuing year and writes him fully about them. In connection with this letter another one, written by Washington to Lawrence Lewis and sold by the Anderson Company on April 17, 1914, is interesting. A proposition had been made by James Anderson and Washington outlines it in his letter to Lewis, evincing no desire to continue his relations with Anderson and requesting Lewis to take part of the property so that he (Washington) may be relieved of some of its cares and Anderson's services as manager can then be dispensed with. In the present letter Washington says:

> On the plain, simple, and regular system I am resolved undeviatingly to pursue, I shall find no difficulty in superintending my farms myself—if not with skill, at least with economy. There would then be the distillery and mill only to be disposed of, and these, if I could, I would rent; if not, they might remain on their present footing. With an honest miller or distiller and frequent settlements with them, matters could not go very wrong. I have no other person in view as a manager.

This letter was written within three months of the death of Washington.

Abraham Lincoln's letter is dated Springfield, Ill., Sept. 5,

1860, and is addressed to Anson B. Chester. It was written at the time that Lincoln was taking his first campaign for the Presidency and all kinds of false reports about him were being circulated by his enemies. Chester had sent him a clipping which quoted him as saying:

"The character of Jefferson was repulsive. Continually puling about liberty, equality, and the degrading curse of slavery, he brought his own children to the hammer and made money of his debaucheries." In reply to this Lincoln writes: "The extract upon a newspaper slip which you sent is a base forgery, so far as its authorship is imputed to me. I never said anything like it at any time or place."

An interesting relic of the Revolutionary War is the "Journal and Vouchers kept by Capt. John Brown during his service in the Army from October, 1775, to April, 1778." It is an oblong book containing about seventy-five pages of notes in Brown's autograph. It contains many entries with regard to the battles at Brandywine and elsewhere. It ends with the statement: "Arrived at home Saturday, the 19th day of April, 1778, from Camp Valley Forge."

A fine letter by Stephen Decatur, the naval officer who distinguished himself in the wars with Tripoli and Algiers, and who was killed in a duel with Commodore Barron, is dated Aug. 9, 1817, and is addressed to Robert Fulton. It relates to Fulton's invention of the first man-of-war run by steam. Decatur was one of the board that financed it.

"The principal difficulties to our project," he writes, "appear now to be removed; the only thing that strikes me which remains to be guarded against is the boarding of our vessel from boats. On this score there will be much danger and unless completely secured from this it will be useless."

He then offers several suggestions for defense of the vessel.

There is also a two-page quarto letter "Brest, the 8th of fructidore Anno 9" (Sept. 8, 1801), from Fulton to Adjutant-Commandant Clements, written during Fulton's first experiments with the torpedo when he was trying to blow up the British vessels of war on the Coast of France. This letter outlines a plan of attack on the British. In it Fulton says:

As it is impossible during the day to tell where the English may anchor in the evening, I conceive, while the weather is calm and the ebb favorable, the best mode of operation is to prepare such boats as are thought necessary to secure a retreat, part from Brest about 2 o'clock in the afternoon, and endeavor to arrive at Berthaume before sunset. That this plan be practiced for five or six nights, if necessary, each night taking the chance of finding the enemy in a favorable position.

In another long letter, dated New York, Aug. 12, 1813, and addressed to Commodore Lewis, Fulton refers to his latest invention, a man-of-war propelled by steam. This invention had been submitted to several Government officials, who were unwilling that it should be publicly debated in Congress while this country was at war. It was therefore decided that a few public-spirited men should build the ship, and trust to Congress to remunerate them if the thing proved a success. Fulton writes:

If we have fortunately got so forward with our invention as only to guard against knowledge that, I think, can be done completely without much difficulty. . . . But the steam engine gives also an incalculable advantage. Such a one as I am putting in the sound boat has the power of fifty horses, or 250 men. Indeed, I see that such vessels may be so constructed that it is impossible to board or take them, and, contemplating it in every way, it bids fair to be one of the most extraordinary works of art, in its results of immense and incalculable importance to our country. It must give protection to our coast, respect for our powers, and, I believe, liberty to the seas.

David Hall, Colonel in the Revolution and Governor of Delaware, under date of Middle Brook, N. J., June 26, 1779, writes to Major Thomas Rodney about "a small expedition to Staten Island conducted by Mr. McWilliams," which, among other things, "took off a certain Billips farmer, a Colonel of Militia, a very mischievous person, who had some time before sent over word that he would never take a rebel alive."

Two letters are by President William Henry Harrison. The earlier one is dated "Headquarters, foot of the Miami Rapids, Feb. 16, 1813," and is addressed to Gov. Shelby of Kentucky. It was written just aften the establishment of Fort Meigs, when Gen. Harrison was getting ready for his next campaign.

"Information has reached us," he says, "that a detachment of six hundred regulars and one thousand Indians left the lower part of the upper District of Canada not long since to reinforce the British troops at Malden. I have also received information which cannot be doubted, that one thousand Potowatamies and Miamies were on the march from the neighborhood of Chicago for Malden. I have very little doubt of their intention to attack us here."

A few months later Harrison won the battle of the Thames in which the famous Indian chief and British ally, Tecumseh, lost his life.

John McKinley, first Governor of Delaware, writes a fine revolutionary letter to Caesar Rodney, signer of the Declaration of Independence. It is dated Wilmington, Aug. 17, 1777, and relates to the raising and equipping of troops. A few days after this letter was written, Gov. McKinley was captured by a party of British who were sent to Wilmington for that purpose, and to obtain such plunder as might fall in their way. They seized Mc Kinley while he was in bed, took possession of a shallop that was lying in the stream, filled it with plunder, including public records, plate, and jewels, and returned to their camp. McKinley was allowed to go on parole to Wilmington in August, 1778, where he remained till the end of the war.

Four letters by William H. Seward were written in 1844 and 1845, and refer to slavery. The earliest is dated Sept. 2, 1844. After speaking about Texas, Seward says:

"Slavery is now, henceforth, and forever among the elements of political action in the Republic."

On Nov. 16 of the same year, he writes:

"We are, indeed, defeated, overthrown. The result of our brilliant campaign is a defeat mortifying to our pride, and probably calamitous to the country."

On Jan. 24, 1845, he writes:

"The tendency of events is to give great power to the sentiment of emancipation."

In a letter dated March 1, 1859, George Bancroft, the historian, says: "The most perfect biography I know is that of Agricola by Tacitus . . . that by Lord Bacon of Henry VII. is a mas-

terpiece." He then relates the details of the falling out between George Washington and Alexander Hamilton. John Bayard, member of the old Congress from Pennsylvania, and Colonel in the Revolution, writes on Jan. 12, 1786, to his son, Samuel, about the loss of his (John's) second wife the year previous.

"The last year," he says, "has been attended with affliction and bereavement to me and my family. We see the uncertainty of all earthly enjoyments. I have seen vanity wrote on all my earthly comforts so often that I think it would be the height of folly for me to depend upon this world for its enjoyments."

His letter is accompanied by one of his third wife, Johannah, whom he married in 1787.

One of the most interesting of the items is a holograph letter of George Berkeley, the celebrated Bishop of Cloyne, author of the often quoted line, "Westward the Star of Empire takes its way." He was the friend of Pope, Steele, Addison, and Swift. In 1729 he came to America and built "Whitehall," near Newport, which he deeded to Yale with his library, said to have been the finest brought to this country. His philosophy was to discredit materialism and this letter, dated Cloyne, April 6, 1762, is a splendid example. He begs his correspondent to take care of himself, then adds, "but advice against inclination is seldom successful."

"In the affairs of the world, he says, he takes little interest. "It is a thing in which I have small share and which ought to give me small concern. Ambitious projects, intrigues, and quarrels of statesmen are things I have formerly been amused with, but they now seem to be a vain, fugitive dream."

$205 For Lincoln Letter.

HIGHEST PRICE AT SALE OF DR. T. R. SLICER'S LIBRARY.

The sale of the Rev. Dr. Thomas R. Slicer's library was concluded at the American Art Galleries last evening. The day's two sessions brought a total of $2,424.75. The grand total amounts to $4,498.

Abraham Lincoln's two-page holograph letter to the Rev. Henry Slicer, Chaplain of Congress, and father of the Rev. Dr. Slicer, brought the highest price of the day. It was knocked down to Dr. J. H. Dearborn for $205. The letter was written by Lincoln while he was serving his only term in Congress as a Whig Representative. It was dated Washington, June 1, 1848, and referred to the choice of the Rev. R. R. Gurley, a Presbyterian, instead of the Rev. Mr. Slicer, who was a Methodist, to officiate at the obsequies of President John Quincy Adams.

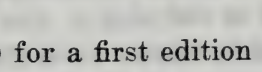
James F. Drake paid $90 for a 16mo pamphlet, "The Reformer. A Poem," by Rudyard Kipling, one of only twelve copies printed in this city in 1901 for copyright purposes previous to regular publication.

A first edition of Henry W. Longfellow's "Tales of a Wayside Inn," with presentation inscription, "Dr. Van Buren, with best regards of the author, Decr., 1863." Also a letter of Longfellow's to Dr. Van Buren, inserted in the book, went to Mr. Drake for $27.

J. P. Horn paid $30 for a first edition of Edgar Allan Poe's "Eureka: A Prose Poem," 12mo., original cloth. New York, 1848, with numerous marginal notes in pencil. Mr. Drake gave $29 for a first edition of James Whitcomb Riley's "Armazindy" and a letter by Riley to Julian Hawthorne, relative to a poem by him in "Literature of All Nations." "Essays, Speculative and Suggestive," by John Addington Symonds, first edition, was bought by Dr. Eliot for $15.50.

The first issue of the first edition of Walt Whitman's "Leaves of Grass," small folio, Brooklyn, 1855, was obtained for $45 by Charles Scribner's Sons.

It was the final sale of the season at the American Art Galleries. The next sale will take place in October.



Americana Brings $1,141

A total of $1,141 was realized by a sale of books and pamphlets relating to America, which was concluded at the Anderson Auction Company's rooms yesterday. An undated Philadel-

phia edition of "The North American Sylva," by F. A. Michaux and T. Nuttall, brought $27.50. The Daniel Boone edition of "The Winning of the West," by Theodore Roosevelt, four volumes royal octavo, New York, 1900, limited to 200 sets, was knocked down for $15. The first volume contains a page of the author's original manuscript. "A Trip to the Yellowstone National Park in 1875 From the Journal of General W. E. Strong," quarto, Washington, 1876, went for $27.50.

The sale of autograph letters and original manuscripts from the library of the late Bishop William Croswell Doane of Albany.

George D. Smith paid $105 for a long and interesting letter by Robert Fulton, New York, Aug. 12, 1813, addressed to Commodore Lewis and relating to Fulton's last invention, a man-of-war propelled by steam.

"Indeed I see," Fulton says, "that such vessels may be so constructed that it is impossible to board or take them, and, contemplating it in every way, it bids fair to be one of the most extraordinary works of art in its results of immense and incalculable importance to our country. It must give protection to our coast, respect for our powers, and, I believe, liberty to the seas."

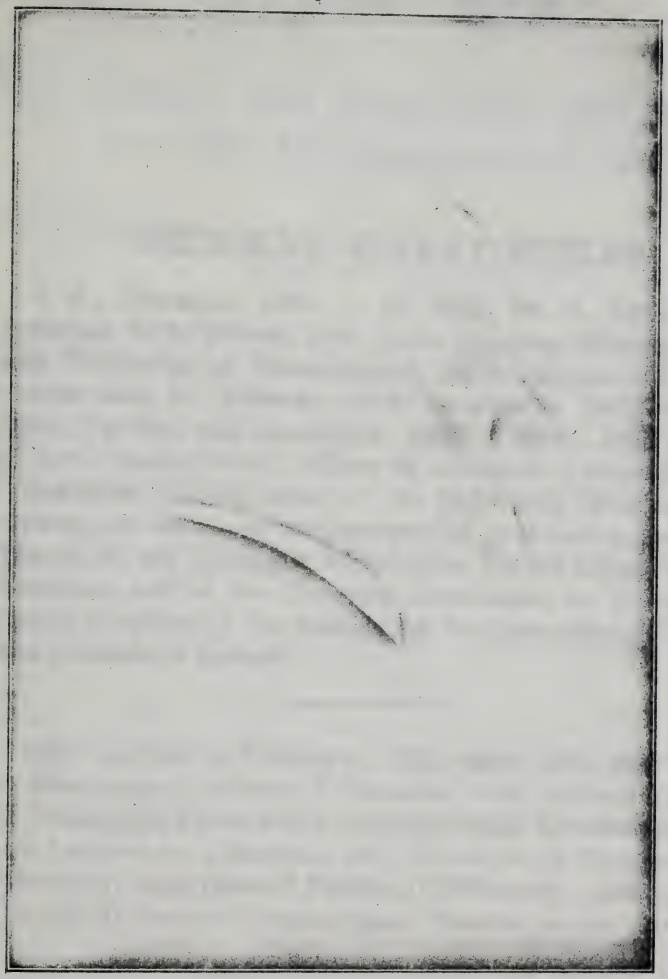
Another letter by Fulton, dated Brest, Sept. 8, 1801, and referring to his first experiments with the torpedo when he was brought $47. A document dated Boston, July 15, 1700, and trying to blow up British war vessels off the French coast, signed by Richard Coote, Earl of Bellomont, Colonial Governor of New York and Massachusetts, went to Mr. Smith for $25. It was during Bellomont's administration that Capt. Kidd, the pirate, flourished.

W. Muller gave $26 for a letter by James Fenimore Cooper, Paris, Oct. 17, 1826, to a publisher, containing interesting details about sales and profits of his books. A letter from Commodore Stephen Decatur, Aug. 9, 1817, to Robert Fulton, went to Mr. Smith for $30. A letter by Gen. William Henry Harrison, "Headquarters, foot of the Miami Rapids, Feb. 16, 1813," addressed to Gov. Shelby of Kentucky, brought $18.50.

A letter by Samuel Huntington, Connecteut Signer of the Declaration of Independence, dated Oct. 8, 1790, sold for $13. A

document dated Feb. 17, 1715, signed by Richard Ingoldsby, Colonial Governor of New York; Philip Schuyler and John Collins, was knocked down to Mr. Smith for $2.

A letter by Washington Irving, dated "Alhambra, July 27, 1829," and telling of his intended trip through Europe, sold for $18. Another Irving letter, dated New York, May 11, 1836, addressed to President Martin Van Buren and recommending Theodore S. Fay as Secretary to the American Legation in London, brought $32.



PREST. NICHOLAS MURRAY BUTLER
Columbia University

NICHOLAS MURRAY BUTLER

A. B., Columbia, 1882; A. M., 1883; Ph. D., 1884; LL. D., Syracuse. 1898; Tulane, 1901; Johns Hopkins, Princeton, Yale, and University of Pennsylvania, 1902; Chicago, 1903; Manchester and St. Andrews, 1905; Cambridge, 1907; Williams, 1908; Harvard and Dartmouth, 1909; J. U. D., Breslau, 1911: D. Litt., Oxford, 1905; Officier de la Légion d'Honneur, 1906; Commander of the Order of the Red Eagle (Prussia), 1910: Member of the American Academy of Arts and Letters, 1911; Trustee of the Carnegie Foundation for the Advancement of Teaching and of the Carnegie Endowment for International Peace; President of the Association for International Conciliation (American Branch.)

1885, Assistant in Philosophy; 1887, tutor; 1888, also Lecturer on History and Institutes of Education; 1889, Adjunct Professor of Philosophy, Ethics and Psychology; 1890, Professor of same, also Lecturer on Education; 1895, Professor of Philosophy and Education; 1890, Dean of Faculty of Philosophy; 1900 and 1901, Director of Summer Session; 1902, President of the University.

AMERICANA

June, 1914

Not Liberty, but Regulation and Restriction are the Watchwords of To-day

Commencement Address of President Butler at Columbia University June 31, 1914

Nicholas Murray Butler, A. M., Ph. D., J. U. D., D. Litt., LL.D., was born in Elizabeth, New Jersey, April 2, 1862, son of Henry L. Butler and Mary J. (Murray) Butler. He was prepared for college at the high school of Paterson, New Jersey, and matriculated at Columbia University in the class of 1882, graduating A. B. and receiving his master degree in course. He was assistant in philosophy at his *alma mater* 1885-6; tutor, 1886-89; adjunct professor, 1889-90; dean of the faculty of philosophy, 1890; professor of philosophy and education and president of the University from January, 1902. This office carried with it the presidency of the Barnard College, the Teachers' College and the College of Pharmacy. He was the first president of the New York College for Training of Teachers (now Teachers' College), 1886-91; member of the New Jersey State Board of Education, 1887-95; president of the Paterson Board of Education, 1892-93; New Jersey Commission to the Paris Exposition, 1889; delegate to the Republican National Convention in 1912 and received the Republican vote for Vice-President of the United States at the meeting of the Electoral College in 1913. He was chairman of the administrative board, International Congress of Arts and Sciences; St. Louis Exposition, 1904; chairman of the Lake Mohonk Conference on International Arbitration, 1907, 1909, 1910, 1911, 1912; president of the American Branch of Conciliation, Internationale; trustee, Carnegie Endowment for International Peace; governor of the Society of the Lying-in Hospital; trustee of the Columbia University Press and of the American Academy in Rome; chairman of the College Entrance Examination Board; officer de Legion d'Honneur, 1906; and commandeur, 1912; commander of Order of Red Eagle (with star) of Prussia, 1910. He was elected to membership in the American Academy of Arts and Letters, 1911. The Pilgrims (vice-president, 1913); American Philosophical Society; American Psychological Association; National Editorial Association, (president, 1895); American Historical Association, (life membership). The New York Historical Society, (life membership); Germanistic Society, (president, 1906-8); American Scandinavian Society, (president, 1908-10); University Settlement Society, (president); National Red Cross, (life membership); National Council of Education; New York Chamber of Commerce; American Society of International Law, etc. His club affiliations include the Century, Church, Metropolitan, University, Barnard, Columbia University, Authors, Garden City Golf and Ardsley. He accepted the editorship of the Educational Review; The great Educators Series; the Teachers' Professional Library and the Columbia University Contributions to Philosophy and Education, 1898-1902. His published books include: *The Meaning of Education; The American as He is; Philosophy; Why Should We Change Our Form of Government? The International Mind; Education in the United States;* etc., etc. He married, first, in 1887, Susanna Edwards Schuyler. She died January 10, 1903. He married, second, March 5, 1907, Kate La Montagne.

IT is a matter of no small concern to those who leave this university today for the purpose of entering upon the active work of life, to realize what ideas and purposes are just now dominant in the minds of men and how these differ from those that have gone before. In the evolution of human ideas a curious cycle is observable. Beliefs and tendencies that have once appeared and that have been rejected or outgrown tend to reappear, sometimes in a new guise, with all the freshness of youth, and they are then acclaimed by those unfamiliar with their history as symbols of an advancing civilization. Probably the greatest waste recorded anywhere in human history is that which results from the attempt to do over again that which has once been done and found disappointing or harmful. If the study of history were more real and more vital than it is ordinarily made, and if it showed ideas, tendencies and institutions in their unfolding and orderly development, and if the lessons of history so studied were really learned and hearkened to, the world would be saved an almost infinite amount of loss, of suffering, and of discouragement.

When this college was young the word that rose oftenest and instinctively to the lips was liberty. Men were then everywhere seeking for ways and means to throw off trammels which had been placed upon them by institutions of long standing, but which were found to hamper them at every turn and to hem them in on every side. Liberty in those days meant not one thing, but many things. It meant freedom of conscience, of speech, and of the press; it meant participation in the acts of government and in the choice of government agents; it meant freedom to move about over the world, to seek one's own fortune under strange skies and in foreign lands, there to live the life that one's own mind and conscience selected as most suitable. Liberty was then the watchword, not in the New World alone by any means, but in the Old World as well, and particularly in France, which has so often pointed the way of advance in the march of ideas. Standing in his place in the convention during the fateful spring of 1793, Robespierre pronounced this definition of liberty, which is almost the best of its kinds: "Liberty is the power which of right belongs to every man to use all his

faculties as he may choose. Its rule is justice; its limits are the rights of others; its principles are drawn from Nature itself; its protector is the law." Whatever judgment may be passed upon Robespierre's conduct, certainly his thought on this fundamental question of liberty was clear and sound.

But during the years that have passed we have moved far away from this view of what is important in life. There has grown up, not alone in America, but throughout the world, an astonishingly widespread belief in the value of regulation and restriction not only as a substitute for liberty, but directly in opposition to it. That against which the leaders of the race revolted a century and more ago is now pressed upon us in another form as a desirable end at which to aim. Not liberty, but regulation and restriction are the watchwords of today, and they are made so in what is sincerely believed to be the greater public interest. John Stuart Mill, in his classic essay "On Liberty," saw and described these tendencies nearly fifty years ago, but even his clear vision did not foresee the length to which restrictions on liberty have now been carried.

Just as the driving force of an engine is to be found in the steam chest and not in the brake, so the driving force of civilization will be found in liberty and not in restriction. The cycle will, in due time and after a colossal waste of energy and of accomplishment, complete itself, and liberty will once more displace regulation and restriction as the dominant idea in the minds of men. It is worth your while to take note, therefore, that while liberty is not now in the foreground of human thinking and human action, it cannot long be kept out of the place which of right and of necessity belongs to it.

The only logical and legitimate restriction upon liberty is that which is drawn from the like liberty of others. That men may live together in family, in society, and in the State, liberty must be so self-disciplined and so self-controlled that it avoids even the appearance of license or of tyranny.

There are three possible ways of viewing and of stating the relationship between the individual and the group or mass of which he forms a part.

In the first place, each individual may be regarded as an end in himself whose purposes are to be accomplished at all hazards

and quite regardless of what happens to his fellows. This is that extreme form of individualism which has always ended, and must always end, in physical conflict, in cruel bloodshed, in violent anarchy, and in the triumph of brute force. It does not provide a soil in which ideas can flourish.

In the second place, each individual may be regarded as a mere nothing, a negligible quantity, while the group or mass, with its traditions, its beliefs, and its rituals, is exalted to the place of honor and almost of worship. The logical and necessary result of this view has always been, and must always be, from the standpoint of human accomplishment in institutions, stagnation, powerlessness, and failure. It is the view of life which has from time immemorial held so many of the great peoples of the Orient in its grip and which has set them in sharp contrast with the active and advancing life of the West for nearly two thousand years past.

The third view of the relationship of the individual man to the group or mass is the one that I would press upon you as offering the fullest measure of individual happiness and achievement and the greatest amount of public good. It stands between the philosophy of self-assertion, of disorder, of brute force, and of anarchy on the one hand, and the stagnation of an unprogressive civilization on the other. It is the view which emphasizes the individual to the utmost, but which finds the conception of each individual's personality and accomplishment in his relations to his fellows and in his service to his kind. "He that loseth his life shall find it" is alike the last word of ethical philosophy and the supreme appeal of Christian morals. The enrichment and the development of the individual, in order, not that he may acquire, but that he may give; in order, not that he may antagonize, but that he may conciliate; in order, not that he may overcome and trample under foot, but that he may help and serve—this, as distinguished from the philosophy of disorder on the one hand and the philosophy of stagnation on the other, I call the constructive philosophy of the institutional life. It is built upon human individuality as a cornerstone and a foundation. The higher and loftier the structure rises, the more plainly it points upward, the heavier is the burden that the foundation bears and the greater is its service to God and to man.

Samuel Chester Reid

The Hero of the Armstrong

BY JOHN HOWARD BROWN

Heaven helped the little *Armstrong* in her hour of bitter need;
God Almighty nerved the heart and guided well the arm of Reid.

* * * *

Tell the story to your sons of the gallant days of yore,
When the brig of seven guns fought the fleet of seven score,
From the set of sun till morn, through the long September night—
Ninety men against two thousand, and the ninety won the fight.
In the harbor of Fayal the Azore.

—*From "The Fight of the 'Armstrong' Privateer," James Jeffrey Roche.*

CAPTAIN SAMUEL CHESTER REID was born in the town of Norwich, State of Connecticut, August 25, 1783, the year of peace. He was the second and only surviving son of Lieutenant John Reid of the British navy, who was a son of Lord John Reid, of Glasgow, Scotland, and a lineal descendant of Henry Reid, Earl of Orkney, and Lord High Admiral to Robert III, (Bruce), King of Scotland, in 1393.

Lieutenant John Reid while in command of a night-boat expedition sent out from the British squadron, under Admiral Sir William Hotham, which was then ravaging the coast, was taken prisoner at New London, Connecticut, in October, 1778. He afterward resigned his commission under George III, and espoused the American cause.

In February, 1781, he was married to Rebecca Chester, of Norwich. Miss Chester was a descendant of the fourth generation of Captain Samuel Chester, formerly an officer of the British navy, who, in 1662, immigrated to Connecticut and settled in New London. He was a son of Sir Robert Chester, who was knighted by James I, in 1603, and was a direct descendant of the Earls of

Chester, through whom he was collaterally connected with Robert I, (Bruce), King of Scotland.

John, the son of Rebecca's father, the third John Chester, served at Bunker Hill and at the Battle of Lexington in 1775, and was a colonel in General James Wadsworth's Connecticut brigade. He was a delegate to the Connecticut convention in January, 1788, which ratified the constitution of the United States.

Captain Samuel Chester Reid, following the vocation of his forefathers, went to sea at the early age of eleven on a voyage from New York to the West Indies. The vessel was captured by a French privateer and carried into Basse-terre, Guadaloupe, where he was confined with the rest of the prisoners in an old gothic chapel for six months. He subsequently entered the navy and served as midshipman on the sloop-of-war *Baltimore* under Commodore Truxton, who commanded the West India squadron and who appointed him his aide.

Captain Reid was married in New York City, June 8, 1813, to Mary, daughter of Captain Nathan Jennings, of Fairfield, Connecticut, a lady of distinguished beauty and talent. Captain Jennings volunteered as a private at the Battle of Lexington, crossed the Delaware with Washington, and commanded a company at the Battle of Trenton, December 26, 1775, where he was distinguished for gallant service on the field. The only members of Captain Reid's family now living, of ten children, is his granddaughter, Mrs. Alfred Delcambre, Jr., whose first husband was John Savage, the well-known poet and historian.

In 1814, during the time when the British General Ross, with his six thousand veterans from the troop-ships of Admiral Cochrane's fleet, was burning and pillaging the American capital, for which he afterward paid the penalty of his life in his demonstration against Baltimore, the saucy little brig *General Armstrong* was being refitted in the port of New York for her fifth cruise against the enemy.

She was a beautiful model and had been schooner rigged, but Captain Reid on being induced to take command of her changed her rig in brigatine which made her one of the fastest vessels on the seas. She had a superior armament for boarding or re-

sisting attack, with steel-strapped helmets for the men. She had a picked crew of sailors and marines, all Americans.

The officers of the privateers were commissioned by the President, were under the same rules and regulations as the regular navy, and were subject to the orders of the secretary of war, (there being no secretary of the navy at that time) who was then General John Armstrong, after whom the famous brig was named.

The *Armstrong* lay off the Battery at New York, the admiration of the citizens, awaiting a chance to run the blockade of British warships off Sandy Hook.

The discipline of her crew was perfect, and her commander, while severely exacting, treated his men with great kindness and consideration.

On the night of September 9, 1814, just two weeks after the burning of Washington, wind and tide suiting, the *Armstrong* got under weigh with her great spread of sail and a ten knot breeze. At midnight she ran close aboard of an English razee and ship-of-the-line, and as she flew past the "mudscows," as the crew called the clumsy Britishers, she was soon out of range of their guns, and the enemy gave up their attempted pursuit.

At noon on the twenty-sixth of September, just ten days before Admiral Cochrane sailed from the Chesapeake, the *Armstrong* made the island of Fayal, and ran into the bay of the town of Horta, to refill with water. The shore of the bay, which is crescent shaped, is surrounded by a high sea-wall, in the center of which lies the castle of Santa Cruz. Opposite, to the eastward, lies the island of Pico, four miles distant, with its volcanic mountain rising to a height of seventy-six hundred feet. It was in this bay, surrounded by the most romantic scenery, that the battle of Fayal took place.

Captain Reid had gone ashore to make arrangements with the American consul, Mr. John B. Dabney, for a supply of fresh water, and had accepted the invitation of that patriotic and hospitable gentleman of the old school, to dine with him. In making inquiry about the enemy's cruisers, Captain Reid was informed by Mr. Dabney that none had visited those islands for several

weeks. About 5 p. m. Captain Reid returned aboard his vessel with the counsel and several gentlemen in company.

While they were conversing, it being nearly sundown, the B itish brig-of-war *Carnation* suddenly hove in sight close under the northeast headland of the harbor, and entering the bay, anchored within half a cable's length of the *Armstrong*. Soon after, the frigate *Rosa* and ship-of-the-line *Plantagenet* followed and came to anchor in the roads, the squadron being on its way to join Cochrane's fleet at Jamaica.

Commodore Lloyd, who commanded the squadron, had previously learned from the pilot out at sea, that the *Armstrong* was in the harbor, and he at once determined upon her capture. The brig *Carnation* immediately began signalling with the fleet, threw out four large launches or boats and began to pass arms into them.

All these movements could be seen, and the orders given, distinctly heard on board the *Armstrong;* at the same time the British brig made every preparation to intercept the privateer should she attempt to escape. Although Captain Reid had been assured by the American consul of the perfect safety of his vessel, being in a neutral port, he now felt certain from the manœuvres of the fleet and the preparations going on that there would be trouble, and he accordingly told the gentlemen that they would better go on shore.

After their departure a council was held among the officers of the *Armstrong,* and it was at first suggested that they should make an effort to get out to sea, but the wind being light it was decided to haul close in under the guns of the castle for protection.

Captain Reid immediately gave secret orders to clear the deck for action and cautioned the crew to make as little noise as possible. He then cut his cable, got out sweeps and began to pull in shore to the castle. The *Carnation* immediately dropped her topsails and made sail to prevent the privateer from going out of harbor should she attempt it, while the boats which were lying alongside were ordered in chase of the *Armstrong*.

It was now about eight o'clock in the evening. The moon which was near its full was gradually rising, and silver-sprink-

ling with its beam and beautiful bay, the hills of Horta and Mount Pico, while not a ripple broke the stillness of the glittering surface save the splash of the oars of the four large launches well armed, carrying about forty men each, which were pulling swiftly toward the privateer. Captain Reid immediately ceased pulling toward the shore, let go his anchor and got springs on his cable so as to bring the vessel broadside to the enemy.

At this time one of the launches which was considerably in the advance pulled up under the stern of the *Armstrong,* when Reid with speaking trumpet in hand, and all hands at quarters, hailed the boat three times. No answer was returned except by one of the sailors, who asked in a gruff voice what was the matter. The officer replied: "Make no answer, sir; pull away my lads," and the next moment the word was given "toss oars," and with their boat-hooks they hauled alongside under the port quarters of the privateer. The officer in the boat then cried out: "Fire and board, my lads," and as the men rose from their seats Captain Reid instantly gave word to his marines to fire, which was almost simultaneous on the part of both.

One man on board the privateer was instantly killed, and the first lieutenant, Fred A. Worth, a brother of General W. J. Worth, of the United States army, was wounded. The men in the boat were severely cut up and they cried out for quarter, while the other three boats pulling up at full speed on the starboard side immediately opened their fire. They were received with a full broadside of grape and canister, which was followed by the shrieks and groans of the wounded and dying. A fierce struggle now ensued in which the enemy made a desperate attempt to board; but staggered and appalled by the galling fire of the privateer they cried out for quarter and the boats pulled off in a sinking condition with great loss, Captain Reid refusing to take them prisoners.

The *General Armstrong* then weighed anchor and pulled toward the shore, about half pistol shot from the castle, where she was moored head and stern, near the beach, with her port side next to the shore.

The *Carnation* meanwhile sailed down to the fleet, and it was soon evident that they had determined on a more formidable at-

tack. The American consul at this time had written a note to the Portuguese governor, demanding protection for the privateer, but the governor simply dispatched a note to Admiral Lloyd, requesting him to abstain from further hostilities. To this note Lloyd replied that, as the Americans had first fired into one of their boats without any provocation, he now determined at all hazards to take the privateer, and that if protection were afforded her he would fire into the town. About 9 p. m. the wind having breezed up the enemy's brig was observed standing in with a large fleet of boats in tow, numbering fourteen, and carrying between forty and fifty men each, armed with carronades, swivels, blunderbusses and muskets, making an aggregate force of at least five hundred and sixty men. When within gunshot the boats cast off from the brig, and took their stations in three divisions under cover of a small reef or island of rocks, within musketshot of the *General Armstrong*. The brig kept under way to act with the boats in case the *Armstrong* attempted to escape. In the meantime terror and consternation had spread through the town. The windows of the houses nearest the scene were filled with women, and the sea-walls were crowded with the inhabitants, awaiting with intense excitement the coming attack.

There lay the American brig with her tall, tapering spars, sleeping on the moonlit waters, as quiet and peaceful as an overwearied child. There she lay, like a phantom ship; not a movement was to be seen, not a sound was heard to break the stillness of her decks, seemingly deserted, from the death-like silence which prevailed.

Notwithstanding, Captain Reid had made every preparation to receive the enemy on all sides, and his crew were then lying concealed at their quarters. In this position the belligerents remained for nearly three hours, watching each other with painful interest.

When it is considered that the crew of the *Armstrong* had nothing to gain, and had no motive for remaining by their vessel but the defense of their country's honor, when they saw the terrible odds that opposed them, and which threatened a fearful retribution, it is remarkable that they stood so firm, and their wonderful discipline and courage may be imagined.

At length, at midnight, the enemy seemed resolved upon the attack, and the boats were observed in motion. Instead of approaching by divisions, as Captain Reid expected, they came on in solid column, in direct line. When about twenty-five yards off, Captain Reid ordered his men to stand by after the fire, to run in the guns, and lash in the ports in order to prevent the enemy from getting through the port-holes on boarding, as they would not have time to reload the guns before the enemy would be alongside. The men were then cautioned to wait for the word, and to be sure of their object. The Long Tom, a forty-two-pounder, placed on a pivot amidships, was sighted with fearful accuracy.

On came the British boats with undaunted intrepidity. They were again hailed by Captain Reid, but no answer was returned.

The fatal command was then given, and at once a destructive fire was opened on the enemy, the thunder and crash of which broke the charmed stillness of the midnight scene. The discharge of the Long Tom rather staggered them for a moment, but they warmly returned the fire, remanned their oars, and giving three cheers came on most spiritedly.

The crew of the *Armstrong* asked if they should return the cheer.

"No," replied Captain Reid, "no cheering until we have gained a victory."

In a moment they succeeded in gaining the bow and starboard quarter of the *Armstrong*. The cry of the officers commanding the boats was,

"Up and board, my lads—no quarter!"

At the same instant they opened a terrific fire with carronades, swivels, blunderbusses and muskets. They were gallantly met by the crew of the privateer in their black leather boarding caps, strapped with steel, looking like demons, with boarding pikes, muskets, battle-axes, pistols and cutlasses. The vessel soon became one broad sheet of fire, the red glare of which strangely contrasted with the brilliant light of the moon, now riding high in mid-heaven. Shrieks and yells, orders and oaths, amid the clang of sabres, were heard on both sides through the din and roar of the musketry. Again and again the enemy led by their

officers, attempted to gain the deck of the little brig, but were repulsed at all times with immense loss. The battle now raged with the greatest fury. The Americans fought with the desperation of fiends. Making a last desperate effort to board, the enemy gained the spritsail yard and bowsprit of the *Armstrong*, and were pressing their way to her deck, when the American sailors wielding their battle-axes, sabres and pikes with the skill and might of the knights of old, drove back England's best and bravest men with horrid slaughter. The second lieutenant of the *Armstrong,* Mr. Alexander O. Williams, was killed at this moment, while gallantly leading on his forward division; and the third lieutenant, Mr. Robert Johnson also fell dangerously wounded.

At the same instant Captain Reid, who commanded the after division, was engaged beating off two large launches, the men and officers of which had succeeded in climbing up the sides of the *Armstrong.* One of the latter, the first lieutenant of the *Rota,* William Matterface, who commanded the attack, had engaged Captain Reid in a hand-to-hand fight with cutlasses, and once or twice came near overpowering him. Captain Reid, being left-handed, used his right in firing pistols which the powder boys handed him, while he continued to fight with the British lieutenant with his left hand, disdaining to shoot down his brave adversary. At last the British lieutenant, making a feint, brought down a desperate blow, the force of which Captain Reid had just time to break, though he was slightly cut across the head and his thumb and forefinger nearly severed. Before the Englishman could recover Captain Reid struck him down and he fell back dead into the boat.

It was at this critical juncture that Captain Reid was informed of the death of his second lieutenant, and that his third lieutenant was badly wounded.

Having succeeded in beating the boats off the quarter, and being the only officer on deck, he perceived that the fire had slackened on the forecastle. At once rallying the whole of the after division, they rushed forward with a shout and opened a fresh fire, while he ordered the forward division to heave cold shot into the boats and sink them, as those men were out of

cartridges. The enemy, appalled with consternation and dismay, fell back to their boats and retreated, when Captain Reid, bringing the Long Tom to bear upon them, fired the gun himself, which flew off the carriage, doing fearful destruction and resulting in the total defeat of the British. Then it was that Captain Reid cried out:

"Now is the time to cheer, my boys," and three wild, enthusiastic cheers re-echoed over the bay from shore to shore. The Americans among the crowd on the sea-walls hailed the *Armstrong,* and asked if Captain Reid was safe, and being answered in the affirmative, gave three tremendous cheers in return.

The scene which now presented itself was one of indescribable horror. The silvered waters of the bay were crimsoned with blood. Dark forms of dead bodies floated around on every side, while the groans and death shrieks of the wounded, struggling around the boats pierced the air. Many of the boats had been sunk. Two large launches belonging to the frigate *Rota* lay alongside the *Armstrong* with two other boats literally loaded with their own dead. In a boat belonging to the *Plantagenet* all were killed save four. In another boat which had contained fifty souls, but one solitary officer escaped, and he was wounded. Four boats floated ashore full of dead bodies. Some of the boats were left with but a single man, while others had but three or four to row them. The termination was nearly a total massacre. This action lasted about forty minutes. The English force, estimating forty men to a boat, was about five hundred and sixty men. The English themselves acknowledged a loss in this attack of one hundred and twenty killed and one hundred and thirty wounded, but it must have been far greater.

The deck of the *Armstrong,* which was in great confusion, and slippery with human gore, was now cleared up, the Long Tom remounted, and preparations made for a fresh action should the enemy again attack her. About this time Captain Reid received the following note from the American consul:

Captain Reid:

Dear Sir:—You have performed a most brilliant action in beating off fourteen boats of the British ships in this road. They

say they will carry the brig, cost what it will, and that the English brig will haul close in to attack you at the same time the boats do. My dear fellow, do not uselessly expose yourself, if again attacked by an overwhelming force, but scuttle the brig near the beach and come on shore with your brave crew.

Yours truly,

J. B. Dabney.

Two o'clock Tuesday morning, September 27th, 1814.

This note was brought on board the *Armstrong* by Charles William Dabney, son of the consul, then twenty years of age, who afterward succeeded his father.

Captain Reid then went on shore, and after receiving the congratulations of the consul, was informed that the governor had again written to Commodore Lloyd, remonstrating against any further attack, but Lloyd sent answer that he was determined to capture the *Armstrong,* and that if the governor suffered the Americans to injure her in any manner he should consider the place an enemy's port, and treat it accordingly. Returning on board, Captain Reid determined to defend his vessel to the last. He accordingly ordered the dead and wounded to be taken on shore, and he prepared for the worst.

At daylight on the morning of the twenty-seventh the *Carnation* was observed under weigh, and stood close in for the little brig, when she immediately opened a heavy fire with all her force. The crew of the *Armstrong,* as if supernatural spirits, or holding charmed lives, still grimly stood by their little vessel, returning broadside for broadside with wonderful effect, Long Tom doing splendid execution. The maintopmast of the *Carnation* soon fell by the board, she was much cut up in her hull and rigging, and her loss of men was so great that her guns became silenced and she was forced to retire. It was a sublime spectacle to see the little brigantine, with but a handful of men, fighting a hopeless battle against such tremendous odds, in vindication of her rights and her country's honor, with her colors flying in reckless defiance.

Finding all further resistance fruitless, Captain Reid blew a hole through the bottom of his vessel to prevent her capture, and

then, with his gallant crew, took to the boats and went on shore. The *Carnation,* soon after perceiving that the *Armstrong* was deserted, sent two armed boats to seize her, but finding she was scuttled, they set her on fire, when she blew up in a blaze of glory.

In the three engagements that occurred with the *Armstrong,* the British loss was two hundred and ten killed and one hundred and forty wounded, making a total of three hundred and fifty. The loss of the *Armstrong,* marvelous to state, was but two killed and seven wounded.

After the burning of the *Armstrong,* Commodore Lloyd, frenzied with disappointment and athirst for revenge, demanded that the governor should deliver up her crew as prisoners of war. The governor refused on the ground that it would be in violation of his neutrality, when Lloyd threatened to send a large armed force on shore to take them dead or alive. Thus threatened, Captain Reid with his men, all fully armed, took refuge in an old deserted convent about half a mile in the interior, fortified it and cut away an adjoining drawbridge, and running up the American flag bade defiance to their foes, determined to defend themselves to the last. Seeing this last demonstration of American courage Commodore Lloyd gave up the contest and occupied himself with burying his dead.

A letter published in "Cobbett's Weekly Register," December 10, 1814, written to Mr. Cobbett, at London, by an English gentleman who was an eye witness of the midnight attack, after stating the great loss the British sustained, added:

"With great reluctance I state that they (the boats) were manned with picked men, and commanded by the first, second, third and four lieutenants of the *Plantagenet,* first, second, third and fourth ditto of the frigate, and the first officer of the brig, together with a great number of midshipmen. Our whole force exceeded four hundred men; but three officers escaped, two of whom are wounded. This bloody and unfortunate contest lasted about forty minutes."

"The squadron," he also adds, "was detained ten days at Fayal, repairing damages and in burying their dead. Two sloops of war, the *Thais* and *Calypso,* which arrived two days afterward, were sent back to England with their wounded."

The final act of this tragic naval drama was the very essence and height of patriotic valor and patriotism. The splendid courage and personal prowess by which Captain Reid, his officers and crew achieved so glorious a victory over the immensely superior force of the British squadron, has never been exceeded, even by the exploits of the knights in the olden days of romantic chivalry. Yet at the time he was ignorant that he had by his undaunted courage in defeating and disabling the British squadron saved Louisiana from England's conquest. He was only conscious that he had done his duty in vindicating the honor of his country and defending untarnished the sovereignty of the American flag. This alone induced him and his noble crew to peril their lives against such fearful odds, and to perform such acts of valor.

After it became evident that Commodore Lloyd did not intend to execute his threat to take Captain Reid and his crew prisoners, they returned to the town of Horta.

Several British officers, who had come ashore to attend the burial of their deceased comrades, sent a note to Captain Reid, who was then a guest of Consul Dabney, with the request that he meet them at the British consul's. Mr. Dabney, who was of the opinion that it was only a ruse to arrest Captain Reid or bring about a duel, counseled him not to go. But Reid said that he did not apprehend any indignity, and not to go would be treating the officers with discourtesy.

He accordingly dressed in full uniform, with sash and sabre, and as he approached the quarters of the British consul he observed several British officers standing in front of the house, who upon recognizing him, lifted their caps and gave him a cheer, to his great surprise.

Captain Reid was invited to enter the house, and three of the officers requested him to accompany them to a private room, to which request he acceded, though wondering much, when within the room, to see one of them turn and lock the door.

"Gentlemen," said Captain Reid, "you are three to one, but if any of you are desirous of any satisfaction I am ready to give it to you.

But they replied:

"We must beg you to excuse us, Captain, but we have a bet which we can only settle by begging you to prove to us that you do not wear a shirt of mail, as we cannot understand how it wa. that the bullets we fired at you never seemed to strike you. I myself," said the speaker, "fired at you again and again." Captain Reid laughed and said:

"As you have a bet, gentlemen, I will not refuse your request and you may satisfy yourselves that I wear no shirt of mail, and you have my word that I have never worn one."

The officers then introducing themselves, expressed their surprise and admiration of so brave a foe, and assuring Captain Reid that though their governments were at war, it did not prevent a Briton from appreciating true valor wherever it was found, and begged him to join them in a bottle of wine.

Another interesting incident occurred, which displayed the love of the crew for their gallant little vessel. At the time that the *Armstrong* was scuttled and was being deserted, some of the sailors cried out, "We must save the 'Old General' boys"—as they called the figure-head—and in spite of their becoming a target for the enemy they severed with their battle axes the grim looking bust of the 'Old General' from the bow and bore it in triumph to the shore.

This quaint specimen of the ship-carver's art of by-gone days was placed over the gates leading to the grand mansion of the American consul. For years it was decorated every Fourth of July by the Dabneys with flowers and the American flag. It was called "El Santo Americano," by the Portuguese peasantry, who never failed to cross themselves as they passed it.

In later years, the American consul, Mr. Charles William Dabney, son of John Bass Dabney, presented this venerable relic to the Naval Lyceum, at Boston, Massachusetts, where it now remains in a good state of preservation.

The news of the battle of Fayal reached the United States about the middle of November, 1814; the reverses which had attended our arms on land, the bankrupt condition of the government, and the burning of our national capitol, had thrown a general gloom and despondency over the country. Under these circumstances, the news of the battle of the *Armstrong* and the ex-

traordinary victory sent a thrill of joy through the hearts of the American people.

But our government was as yet ignorant that the gallant defense of the little brig was to be the means of saving Louisiana from becoming another empire of India, by the grasp of England, for at this time all was ready at Jamaica for the attack on New Orleans.

The troopships and transports with twelve thousand veterans, under Generals Packenham and Keene, were eager for the fray. Admiral Sir Thomas Cochrane, as he paced the deck of his flagship, was impatiently awaiting the arrival of Lloyd's squadron, but Lloyd was at Fayal burying his dead and repairing damages, causing the delay of his squadron for ten or twelve days. When Lloyd's squadron arrived in Negoil Bay in its crippled condition, he was loaded with bitter reproaches. A further detention of a week followed.

At this time General Jackson's headquarters were at Mobile. On the 7th of November he had driven the British forces from the neutral Spanish town of Pensacola, and on his return to Mobile had learned of the suspected designs of the British fleet against New Orleans. By a forced march he arrived at New Orleans on the second of December with his two thousand Tennessee militia.

Cochrane's fleet arrived at Lake Borgne on the 6th of December, just four days afterward. New Orleans was then utterly defenseless. It is evident that if Cochrane's fleet had arrived fifteen days sooner (the period of its delay), the British troops could have taken possession of the city before any defense could have been made. And even as it was, General Jackson, that man of brilliant resources, barely had time to check the enemy by the affair of the 23d of December and thus make possible his immortal victory at New Orleans on January 8, 1815.

The Battle of Fayal was the last battle fought upon the seas, and the Battle of New Orleans the last upon the land, so that these two battles had in a blaze of glory finished the War of 1812-'14.

On the occasion of a resolution in the United States Senate in 1890, to strike a gold medal in commemoration of the services of

Captain Reid, Senator Daniel W. Voorhees, in a speech of thrilling eloquence said:

"But for the terrific injury inflicted on Lloyd's forces at Fayal, the British would have reached New Orleans as soon, if not much sooner, than General Jackson. Had this happened, that city would have fallen without a blow."

Senator William M. Evarts followed in this tribute:

"Mr. President, I have no need to add anything to the eloquent homage paid to the great fame of Captain Reid. Every word that the Senator from Indiana had said is as truthful as it was eloquent. There is not to be found in the classics or in modern history any stronger instance of personal prowess. But for Captain Reid that fight would not have been made; and but for Captain Reid that battle would not have been won. So strong is this simile under the most diverse circumstances that it may be said of Captain Reid as was said of Horatius at the bridge: 'If he had not kept the bridge, who would have saved the town?' This battle in the Port of Fayal was the bridge that he kept that saved the town of New Orleans, and saved the honor of the country."

Governor Isaac Shelby, of Kentucky, in a letter to Captain Reid, dated May 8, 1815, wrote:

"No one conflict during the war has placed the American character in so proud a view."

On the fifteenth of November, 1814, Captain Reid with his officers and crew proceeded to St. Mary's, Florida. He received ovations all the way from Savannah to New York. At Richmond, Virginia, the members of the legislature gave him a dinner at which Mr. Stevenson, the speaker of the House of Delegates, acted as president, and Mr. William Wirt as vice-president. After the regular toasts, on Captain Reid's retiring, the president gave: "Captain Reid—His valor had shed a blaze of renown upon the character of our seamen, and has won for him a laurel of eternal bloom."

In the evening a grand ball was given in his honor by the prominent citizens of Richmond.

On Captain Reid's return to the city of New York, where his family resided, the legislature of the State passed resolutions of thanks to him, his officers and crew, "for their intrepid valor in thus gloriously maintaining the honor of the American flag," and voted him a superb gold sword with an alto relievo in gold on the hilt representing the infant Hercules grappling with a lion. This was presented to him on November 25, 1816, by Governor Tompkins, on the steps of the City Hall, amid a vast concourse of enthusiastic citizens.

Soon after, at Tammany Hall, an elegant service of plate was presented to Captain Reid, consisting of a large silver pitcher with an emblematical engraving of the action, and suitable inscription thereon; also a silver teapot, sugar bowl, milk ewer, slop-bowl, and two silver goblets, by the citizens of New York. This service came into the possession of his daughter, Madame di Cesnola, of New York City.

The Secretary of War offered him a past captaincy in the navy (there was no Secretary of the Navy then) which Captain Reid declined, having received offers of much more lucrative offices in New York. He accepted the position of Harbor Master of New York, and devoted his talents and genius to the benefit and service of his country.

He was president of the Marine Society which he instituted for the improvement of the marine service and for the support of their widows and children. He was also vice-president of the Nautical Society. He invented and erected the first marine telegraph between the Highlands of the Neversink, Staten Island and the Battery of New York city. He also designed and published a national code of signals for all vessels belonging to the United States. He reorganized and perfected regulations for governing the pilots of New York and had the pilot boats numbered.

Through his efforts and instigation the government established a lightship off Sandy Hook, the first ever constructed. In 1826 he invented a new system of land telegraphs, by means of which he satisfactorily demonstrated that a message could be sent from Washington city to New Orleans in two hours. A bill

was before Congress for its adoption, when Morse's discovery superseded it.

Captain Reid also designed the United States flag under its present form, it having been altered from time to time on the admission of a new state. The last alteration was made on the occasion of the admission of Vermont and Kentucky, in 1795, into the Union, when a resolution was passed "That the flag of the United States should be fifteen stripes alternating red and white, and the Union fifteen stars, white in a blue field.

The bill was attacked by several members of Congress, it being declared that "at this rate we may go on adding and altering for a hundred years to come." It was not until 1817, when five new states had been admitted to the Union, that Congressman Peter H. Wendover, of New York, proposed to make a change in the flag, in view of the fact that there were five states not represented by stars. A committee was appointed to consider the proposition, and Captain Reid was invited to suggest a design.

He recommended that the number of stripes be reduced to thirteen, to represent the thirteen original states; that each of the states be represented by a star; and the stars be formed into one grand star, symbolizing the national motto, "E Pluribus Unum," and that a star be added on the admission of each new state. The design was accepted and a bill to establish the flag was passed and approved by President Monroe on April 4, 1818, as follows

"That from and after the fourth day of July next, the flag of the United States be thirteen horizontal stripes, alternate red and white; that the Union have twenty stars, white in a blue field; that on the admission of every new state into the Union, one star shall be added to the Union in the flag, and that such addition shall take effect on the fourth day of July succeeding such admission."

The law as then passed remains in force to-day. The first flag as designed by Captain Reid was made of silk by Mrs. Reid, assisted by her young friends, and each embroidered her name in the centre of a star. Mrs. Reid then sent the flag to Representative Wendover, who presented it in the name of Mrs. Reid to the

government, and on April 13, 1818, it was hoisted on the flagstaff of the House of Representatives.

At the suggestion of President Tyler, Captain Reid re-entered the navy in 1842 and was retired in 1856.

He died on January 28, 1861, in his seventy-eighth year, after a short illness from pneumonia, at his house on West 45th street, New York city, surrounded by all the living members of his family.

His last words were, "Soon I shall solve the great mystery of life."

The following is from the New York *Herald* of that date:

FUNERAL OF CAPTAIN SAMUEL CHESTER REID.

The funeral services of Captain Samuel Chester Reid, a hero of the war of 1812, and a sketch of whose life was published in our edition of Tuesday, took place yesterday afternoon, from Trinity Church. The magnificent edifice was filled with a highly respectable congregation, composed principally of the friends of the deceased patriot, who was greatly admired, loved and respected, not only by those immediately within the circle of his acquaintances, but also by the people of the whole country. The services were of the impressive character, peculiar to the Church of England, four ministers (The Rev. Messrs. Vinton, Ogilby, Ewer and another) officiating. About half-past two o'clock the coffin (which had been exposed in the vestibule of the church, where hundreds visited it) was beautifully decorated, and was brought into the middle aisle of the church and deposited before the altar. On the lid of the coffin was engraved the following:

Captain Samuel Chester Reid, U. S. N.
Died January 28th, 1851,
Aged 78 years.

Among those who acted as pallbearers we noticed in uniform: Captain Ward, Captain Gansevoort, Lieutenant McDermott and Lieutenant Heny, and in citizens' dress, Charles O'Conor, James T. Brady, Mr. Thomas Tileston and Mr. Paul Spofford.

At the conclusion of the services the remains were conveyed to Greenwood Cemetery, followed by several hundred carriages.

The United States torpedo boat destroyer *Reid* was named in his honor. The keel of this, the speediest vessel of its class in

the United States Navy, was laid in 1908. The destroyer was of 700 tons displacement with a speed of 31.82 and 12,734 horsepower.

In 1912 Mrs. Alfred Delcambre, Jr., daughter of General Count Luigi Palma di Cesnola, LL.D. (1832-1904) and Mary Isabel (Reid) di Cesnola, (Countess di Cesnola) presented to the torpedo-boat destroyer *Reid* a silver service, being a copy of the one presented to her illustrious grandfather by the city of New York for his gallant defence of the armed brig *General Armtrong* at the battle of Fayal, as a mark of the high sense entertained of the skill and valor of Reid. The elegant service of state consisted of a large silver pitcher with an emblematical engraving of the anchor; and a suitable inscription together with two silver goblets, also a silver tea service and a gold sword. On the occasion of this gift to the *Reid* the destroyer lay off Astoria on Long Island sound, and after the ceremony of presentation Mrs. Delcambre entertained the officers of the *Reid* at dinner at her villa in Bayside.

Gethsemane, Ky., the Home of Trappist Monks

BY CAROLINE W. BERRY, LEXINGTON, KENTUCKY

THE knobs of Kentucky, a broken chain of conical sandstone hills, form a great arc, circling the fertile section known as the Blue Grass Region, upon the east, south, and west. Lying upon this arc, about fifty miles southeast from Louisville, as the birds fly, is Bardstown, around which cluster some of the most romantic incidents of Kentucky history. Here came William de Rohan, reputed to be a doctor of the Sarbonne, to seek surcease from religious and political persecutions of France, and here at the foot of the knobs, which bear his name, he built in 1792, with his own hands, the first Catholic church in Kentucky. Here was located the first Episcopal see west of the Alleghany Mountains. Here Louis Philippe, the Duke of Orleans, soon afterward to become the Citizen King of the French, sought refuge during his weary exile; and here was built the one Trappist monastery on American soil.

Approaching the Monastery of Gethsemane from Bardstown, one drives a distance of seventeen miles by way of the Bardstown and Lebanon pike, which follows the winding banks of Rolling Fork, a beautiful stream along whose banks stately elms and sycamores grow. The landscape is fair in field, rising gradually until the foot hills of the Rohan knobs are reached, when the undulations become more rugged and the higher knobs are silouhetted in grey against the sky.

The monastery is first sighted at a distance of several miles. One could almost believe himself in Switzerland, when he sees glittering in the sunlight, outlined against the June sky, the large gilt cross upon the white dome of the monastery; while the range

of distant knobs, fading into the silver clouds, accentuates the illusion. Soon the massive rectangular abbey, with its well kept grounds, is in full view. The monastery bell, reverberating over the hills, is heard calling the monks to prayer. How impressive, how solemn, even awe inspiring this, the only sound of the place. Absolute silence reigns. The toilers in the fields speak no word to each other, give no command to their beasts; for this is the Abbey of the Trappist Monks—the Silent Brotherhood.[1]

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1. The Trappist Order, celebrated among the religious orders of the Roman Catholic Church, for its extraordinary austerities, is so called from La Trappe, an abbey of the Cistercian Order, founded in the middle of the twelfth century. The discipline of this monastery, in common with many others of the more wealthy monastic bodies, especially of those which, by one of the corruptions of the period, were held *in commendam*, had become very much relaxed; and in the seventeenth century but little trace of the ancient religious observance remained. In the first half of that century the abbey of La Trappe fell, with other ecclesiastical preferments, to the celebrated Armand Jean de Bouthelier de Rance.

The circumstances which led this remarkable man to undertake a reform of his monastery and in the end the establishment of what was equivalent to a new religious order have already been detailed. It was in the year 1662 that he entered in earnest upon his duties, and commenced his reforms. At first he encountered decided, and even violent opposition from the brethren, but his firmness and vigor overcame it all. He, himself, as an evidence of a complete change of life, entered upon a fresh novitiate in the year 1663; and in the following year made anew the solemn profession and was reinstalled as abbot. From this time may be dated the introduction of the new austerities which have characterized the order. The monks were forbidden the use of meat, fish, wine and eggs, all intercourse with externs was cut off, and the old monastic habit of manual labor was revived. The reform of De Rance is founded on the principal of perpetual prayer and entire self-abnegation. By the Trappist rule the monks are obliged to rise at two o'clock A. M., for matins in the church, which lasts till half-past three, and after an interval occupied in private devotion they go at half-past five to the office of prime, which is followed by a lecture. At seven they engage in their several daily tasks, indoors or out, according to the weather. At half after nine, they return to the choir for the successive offices of terce, sext, and none; at the close of which they dine on vegetables dressed without butter or oil and a little fruit. This meal is succeeded by manual labor for two hours, after which each monk occupies an hour in private prayer or reading in his own cell, until four o'clock, when they again assemble in the choir for vespers. The supper consists of bread and water and after a short interval of repose is followed by a lecture. At six o'clock they recite complin in choir and at the end spend half an hour in meditation, retiring to rest at eight o'clock. The bed is a hard straw mattress, with a coarse coverlet, and the Trappist never lays aside his habit, even in case of sickness, unless it should prove extreme. Perpetual silence is prescribed, unless in cases of necessity; the minor practices and observances are devised so as to remind the monk, at every turn, of the shortness of life and the rigor of judgment; the last scene of life is made signal in its austerity by the dying man being laid during his death agony upon a few handfuls of straw, that he may, as it were, lay aside upon the very brink of the grave even the last fragment of earthly comfort to which the necessities of nature had till then compelled him to cling. The reformed order of La Trappe scarcely extended beyond France in the first period of its institution. The inmates of La Trappe shared at the revolution the common fate of all the religious houses of France. They were compelled to quit their monastery, but a considerable number of them found a shelter at Valsainte in the canton of Freiburg in Switzerland.

After centuries of existence, and many reforms, the Benedictine rules were again relaxed, many abuses, perhaps worse than former ones, crept into monastic life; their buildings and discipline were alike in ruins, when Jean de Rance, a young French man of noble birth, turned from his dissipated riotous life to one of religious enthusiasm. He retired to the Abbey of La Trappe in Normandy and undertook to reform the order, which sadly needed reforming. Thus began the order of Our Lady of LaTrappe. De Rance introduced austerities that suggest the pious models of Syria. So severe were these conditions that many deaths were ascribed to them.[2]

During the political persecutions of France, the monasteries became asylums for the poor, helpless, conscience-stricken, and the heart-broken from whatever cause. Many scions of noble

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In the vicissitudes of the revolutionary war they were driven from this house and a community, numbering about two hundred and fifty, together with a large number of nuns who had been established for purposes of education, found refuge at Constance, at Augsburg, at Munich, and eventually under the Czar Paul in Lithuania and White Russia. Later in the course of the war small communities obtained a certain footing in Italy, Spain, America, England and, notwithstanding the prohibitory law, even in France, at Mont Genevre. After the restoration they resumed by purchase possession of their old home at La Trappe, which continues up to the present time to be the head monastery of the Order. In 1880 nearly 1,500 Trappists were expelled from France. In England there are two Trappist communities, one in Leicestershire, and the other at Staplehill in Dorset. In Ireland there are two, one at Mount Millary in Waterford, the other at Roscrea, Tipperary. The American centres are at Gethsemane, Kentucky; New Milleray, near Dubuque, Iowa; Tracadie, Sidney county, Nova Scotia; and Oka on the Ottawa river, Canada. Consult *Trappistes ou L'Ordre de Citeaux du 19 Siecle*, by Gaillardeu (1844); *Vie de Rance*, by Chateaubriand (1844); *Geschichte der Trappisten* (Pfannenschmidt, 1873); *Orden und Kongregationen*, by Heimbucher (1896).

2. Armand Jean de Bouthelier de Rance, founder of the reformed order of La Trappe, was born January 9, 1626, at Paris, where he was educated. Having taken his degree in the Sorbonne with great applause and embraced the ecclesiastical profession, he soon became distinguished as a preacher and through the favor of Cardinal Richelieu obtained more than one valuable benefice. He succeeded, while yet a young man, to a large fortune, and for a time, notwithstanding his clerical character, was carried away by the gayety and dissipation of Parisian life. After a time, however, having forfeited the favor of Cardinal Mazarin, and being deeply moved by the death of a lady, the Duchess de Montazon, to whom he was much attached, he withdrew from Paris and after a time resolved to sell all his property, to distribute the proceeds among the poor, and to devote himself exclusively to the practice of piety and penitential works. Finally, he resigned all his preferments (of which, by the abusive practice of the period, he held several simultaneously) with the exception of the abbacy of La Trappe, to which convent he retired in 1662, with the intention of restoring the strict discipline of the Order. He lived in this seclusion for thirty-three years, during which he published a large number of works, chiefly ascetical; the only remarkable event of his literary life was his controversy with Mabillon, in reply to his *Etudes Monastiques* on the subject of the studies proper for the monastic life. Rance's work is in 4to, 1692. In his youth he had edited *Anacreon*, in one volume, octavo, (Paris, 1639) with a dedication to Cardinal Richelieu. He died October 27, 1700.

families took refuge within their sheltering walls. The bitter conflict between Church and State in France culminated in 1848 in the exile of many Catholics. King Louis Philippe had given an estate on the Island of Martinique for the purpose of building a monastery for the exiled clergy, but being deposed in this same year, was unable to carry this project to completion. The Trappists were driven as wanderers into various countries. Some representatives of the order had come to Pennsylvania in 1804, and following the popular stream of emigration west had made their way into Kentucky and to Nelson County. Under the leadership of Father Urban Guillet the first attempt was made to establish a Trappist monastery here. They opened a school for boys and attempted to erect such buildings as were needed. This hard work, together with the severe winter and insufficient food, proved to be more than even a Trappist could endure, and they were forced to abandon the undertaking. The early records claim that the Bishopric of Bardstown held spiritual jurisdiction within certain parallels of latitude from ocean to ocean. This was probably as vague as were many early charters, granting lands from ocean to ocean, a territory unsurveyed, unoccupied, and unknown.

Considering "religious solitude as a paradise upon earth," and having failed to establish a monastery on the island of Martinique, it is not strange that the Abbot of Milleray should have turned to Bardstown as a retreat for these men who were being persecuted for their conscience's sake. Accordingly, he sent from the Abbey near Nantes in France a company of forty-five monks under the leadership of one of their own number. They embarked at Havre, and, after a stormy passage of thirty-two days, landed at New Orleans, thence by the Mississippi to Louisville, Kentucky, where they arrived ten days later. They were received cordially at the home of Bishop Flaget,[3] who in

3. Benedict Joseph Flaget, R. C. Bishop, was born in Contournat, St. Julien, Auvergne, France, November 7, 1763. His father died before his birth and his mother when he was two years old, and he was cared for by a pious aunt and by the Abbe Benedict Flaget, his father's brother. He took his philosophical course in the University of Clermont-Ferrard, after having graduated in arts in the College of Billom. He studied theology at the Sulpician Seminary at Clermont, 1783-84, when he was ordained a sub-deacon. In 1785 he joined that order and continued his

conjunction with the Abbot of Milleray, had planned their coming to Kentucky. On the following day, they set out on foot for Gethsemane. On December 20th, they reached their final home, a tract of land containing 1600 acres purchased from the sisters of Loretto, who had built an academy here and named it Gethsemane. This estate lies near the first settlement of the Trappists under the leadership of Father Guillet, which was so soon abandoned.

Today, after more than a half century of occupancy, the place

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studies in the solitude of Issy and in 1788 was ordained a priest. He was professor of dogmatic theology in the University of Nantes, 1788-90, and of dogma at the Seminary of Angers. The events of the French revolution obliged him to leave that country and he emigrated to America in 1792 when Bishop Carroll sent him to Vincennes, then a military post on the outskirts of civilization in the northwest. On his way he acted as chaplain to the Roman Catholics in General Wagner's army, en route to defend the frontier settlers from the Indians. At Vincennes he had a congregation of seven hundred half-breeds, and he made notable progress toward their civilization. He was recalled in 1795, and was professor in Georgetown College, 1795-98. He went with two other Sulpician priests to Havana, Cuba, in 1798, intending to found a college of that order. The native priests defeated their purpose, but Father Flaget remained on the island as tutor in planters' families until 1801, when he induced twenty-three young Cubans to accompany him to Georgetown College and he remained as professor and missionary priest until April 8, 1808, when he was appointed bishop of Bardstown, Kentucky, against his wishes, as he desired to devote his life to labor as a trappist monk. He went to Rome to secure release from the office but was unsuccessful and on returning to the United States he was consecrated at Fell's Point, Maryland, November 4, 1810. His diocese extended from the Atlantic states to the Mississippi river and from the lakes to the thirty-fifth parallel and in that vast territory were seven priests and ten small chapels. He established a diocesan seminary for the education of priests and in 1817 was able to send missionaries to Indiana, Michigan, and to the French and Indian settlements along the lakes. He was given an assistant, Father David, in 1819, and he recommended to the Holy Father the erection of an archiepiscopal see in the west, and the sub-division of the diocese. He was a member of the first provincial council of Baltimore, 1829, and in 1830 he was compelled to resign his bishopric on account of rapidly declining health. When his people learned of this they raised so determined an opposition and were so loyally seconded by Bishop David, his successor, who resigned in 1833, that he was obliged to reconsider his action. He was ubiquitous in his ministrations to the sick during the cholera epidemic of 1833, irrespective of class or creed. In 1834 he was given a coadjutor in Bishop Chabrat, who had accompanied him from France in 1792, completed his studies under Father David, and had been ordained a priest by Bishop Flaget, December 25, 1811, the first Catholic priest to be ordained in the west. This relief enabled Bishop Flaget to visit Europe, 1835-39. The work in the diocese up to the time of the removal of the seat of administration from Bardstown to Louisville in 1841, included the building of four colleges, a female orphan asylum and infirmary, twelve academies for girls and the institution of three religious sisterhoods and four orders of men. He was transferred to Louisville, January 1, 1842; built in 1843 a convent and hospital from his private funds and in 1848 admitted to the diocese the colony of trappist monks who had established themselves at Gethsemane, Kentucky. He then retired from active participation in the affairs of the diocese on account of the infirmities of age, but viewed the ceremonies of the laying of the cornerstone of the new cathedral, August 15, 1849, from a balcony of his residence and invoked a solemn benediction on the enterprise. He died at Louisville, Kentucky, February 11, 1850.

has been much changed. A large part of the estate is under cultivation. There are farm houses, stables, a saw-mill, a dairy, a well cultivated garden and orchard, the church, and the dormitories.

The massive abbey is built in a hollow rectangle, covering an acre. The court inclosed is about 150 feet square, planted in flowers and ornamental shrubs. The dormitory is 150 feet by 30 feet, divided into small compartments 6 feet by 4 feet, each containing only a hard bed and a crucifix. The dining room is a plain room, containing such furniture as is necessary.

Upon the left of the rectangle is the large Gothic church. It is 210 feet in length, and divided into two chapels; one for the monks, the other for the laity. There is a balcony between these two chapels, from which the visitor may look from afar into the monks' chapel.

The architecture of the building is good, the mural decorations are few and are less ornate than those usually seen in Catholic churches. Above the high altar, is a group of the Crucifixion, cut in some soft material by a deceased brother. In one end of the chapter room, may be seen today the wooden cross which was borne at the head of the little company of pilgrim Trappists from their abbey in France.

One of the most interesting parts of the building is the pretty library of several thousand volumes. Upon its walls are the picture of His Holiness Pope Pius IX, and the inscriptions in Greek, "Know thyself," and "Remember Death." The room contains a divan, some chairs and a table, and suggests greater comfort than any other place about the Abbey.

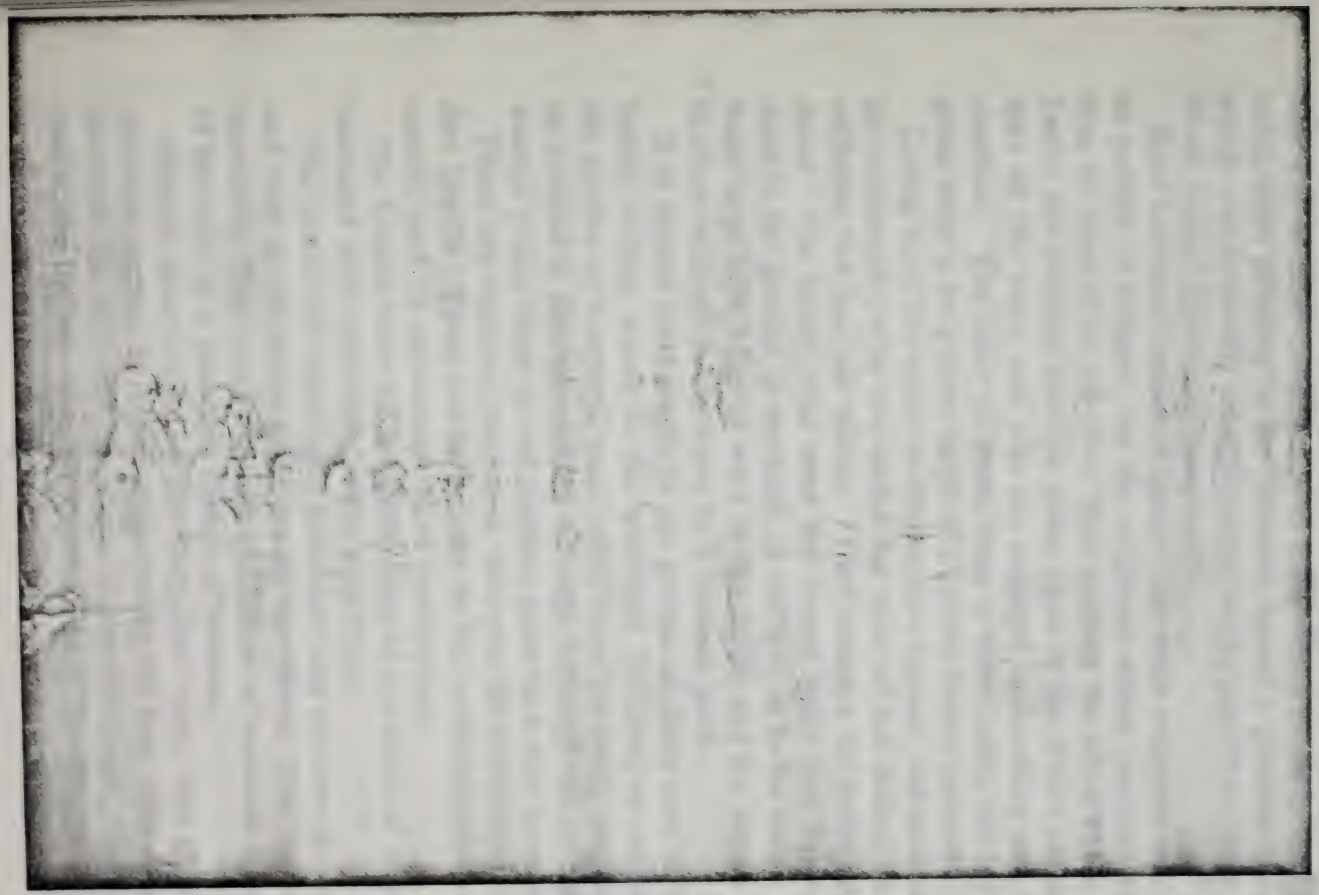
To one side of the church is the graveyard, surrounded by a wall of masonry covered by vines. Here are nearly one hundred mounds, covered by ivy and myrtle. Above each of these, is a wooden cross bearing no name, no inscription; and is the only means of marking the final resting place of the man who gave up his identity when he became a monk, who died to the world when he took the vows of a Trappist. Beside the last made grave, is another begun, to be finished only when the Angel of Death shall next visit the Monastery. Here, as in all things, they emphasize death and the importance of preparing for a change

of spiritual abode. In this graveyard are a few mortuary chapels, containing the tombs of some specially honored clergymen, and that of Baron de Hodiamont, a benefactor of the monastery, who is said to have been one of several French noblemen to join this community.

Time and place have wrought no change in the tenacity and rigor with which the Trappists keep their vows. In becoming a monk of this order, one renounces the world, its pursuits, and its pleasures. He must take the vow of poverty, of labor, of celibacy, and of silence. The Trappists rejoice in poverty and self-abnegation. They do penance, not only for their own sins, but for the sins of the world. The scourge is allowed at restricted intervals, when self-administered. This instrument of self-inflicted torture is made of several leather thongs knotted at the ends and attached to one handle.

The life at Gethsemane is of interest as the best exponent of the religious fervor which it represents. At one o'clock a. m. on Sunday and two on other days of the week, the monastery bell rings its signal for the beginning of the day's worship and labor. This is the call to matins. In five minutes, they are in their respective places in the church; having slept without undressing, no time is lost in the preparation of the day's toilet. The service, consisting of prayers, hymns, psalms, scriptural lessons, and responsories, continues until four o'clock; when the lay members go to their work in the fields or mills or gardens. The choir members remain for mass. At five o'clock they engage in another "Office," after which they openly accuse themselves of transgressions, receiving penance. At eight o'clock, they assemble again to sing a third service, and again at ten-thirty, and at eleven-fifteen, and at twelve community mass is said. Another short service is read at 2.45, while the one frugal meal of the day is eaten, and at six P. M. all repair to the church for vespers. Thus ends the eighth service of the day. The monks take satisfaction in the fact that they hold eight services in a day while David worshipped God only seven times a day.

Silence is observed at all times, except during religious services and at confessional. The Father Abbot and the Guest Master are the only exceptions to this rule. A very good system of



Signing the Declaration of Independence

signs is resorted to, when necessary, in their work, or to answer a question of an unwary guest. In answer to an inquiry as to the best way to enter the grounds of the abbey, a monk in the brown habit, after pointing to the entrance, bowed a gracious welcome which was as readily understood as words could have been, and which lacked nothing of hospitality.

Here are three classes of monks; the choir religious, who may be priests or laymen; the lay religious, whose previous education, or want of it, prevents their reciting the office which is in Latin; the Oblates, who live under rules of the Abbot but do not take all the vows, and who are engaged in teaching and other charities. The choir religious wear a white habit, the lay religious wear a long loose habit of a coarse brown material.

Living upon the estate as tenants are laymen, not members of the community, who live under the rules of the Abbot, and are celibates but are not monks. They observe no uniformity in dress. The monks who wear the brown habit may be seen at work in the garden, in the fields, in the mill, or in the barns. They wear large hats when at work in the fields, and the brown habit is often confined at the waist by a hempen cord.

It is indeed picturesque to see groups of these men in brown habits, cutting weeds in the woodland pastures, or cultivating the garden or vineyard, each intent upon his work, manifesting no interest in the approaching carriage, although the arrival of a woman within these sacred confines must be a rare occurrence.

These are vigorous, alert men, who give the impression of perfect health. There are to be seen no fat, over-indulged-looking monks, such as caricatures have familiarized.

The fathers wear white habits, some of the cowls of which are bordered with light blue, others with black.

The men of the community have their hair cut once in a month, and once in two weeks their beards are shorn. For the sake of increasing their humility, they are denied a luxurious frequency of the bath, or a generous change of raiment.

Manual labor is one of the Trappists' vows, and all are required to engage in it some time during the day. The dairy, the saw-mill, the flour-mill, the shops of the shoe-maker, the harness-maker, the barber, the garden, and orchard, the vineyard, and the

farm afford ample opportunity for each to do his share. In addition, cooking, the care of buildings, laundry, and the mending of garments must be attended to.

Two schools for boys are maintained by this community in which the work is done by oblates. One of these is chartered under the name of Gethsemane College. The building, situated about a quarter of a mile from the abbey, well built, of modern architecture, accommodating seventy-five boarding students, was recently destroyed by fire. This building doubtless will soon be rebuilt.

The brotherhood is very hospitable, never denying shelter and food to any applicant of their own sex. Many clergymen and laymen seek their hospitality during their annual season of retreat. A more suitable spot could not be found. The visitor of but an hour is deeply moved by the spirit of reverence and piety. One instinctively becomes silent and pensive. The inaccessible location, the utter absence of distracting interests of the world, make it an ideal spot for spiritual retreat.

They receive visitors, except on holy days, from nine to ten a. m. and from three to four p. m. The guest master shows the buildings and grounds to visitors with whom he talks freely. Women are admitted only into the reception room and into the chapel of the laics. The only exceptions to this rule are the wife of the Governor of the state and the wife of the President of the United States. The old law which admitted all "crowned heads" into the monasteries, is interpreted to include these American dignitaries.

The limitation of one frugal meal a day has been slightly modified, because of our rigorous climate, by a recent dispensation which grants the privilege of a few ounces of bread with cider or a "warm liquid" at 10.30 a. m. in addition to their one meal, usually served at 2.45 p. m. Their dinner consists of a bowl of vegetable soup, potatoes, fruit, and a small bottle of cider. Their's is a vegetable diet; meat, butter, eggs, and cheese are forbidden. Milk is used in cooking except during Lent when neither milk nor fruit is allowed. Their one meal is eaten in silence. The long, bare table contains a tin plate, a tin cup, and a pewter or wooden spoon for each monk. Great care is taken that no un-

necessary noise be made in using these. If, perchance, a spoon is dropped or the leaves of a book be unduly rustled in reading, humbly the offender seeks pardon of the Superior. During this silent meal a brother reads aloud from the Martyrology or some other approved book.

The sentiment that they must "present their bodies as a living sacrifice to the worship of God," is so essentially a monk's that he cannot forget it even in death. When the inevitable summons comes, the brethren are called from their labor by a ring of the monastery bell, well known to them, into the chamber of death. In his humility, the dying monk asks to be placed on the floor upon a little straw, strewn with blest ashes. Here he gives up his spirit while his brethern pray for him.

We are told by the priests that these men of God meet death peacefully, even joyfully, these men who have given their bodis as a living sacrifice. It is not strange to one who has seen the faces of these ascetics. They are illumined by spirituality as by a halo.

After being dressed in a fresh cowl, the body is carried into the church where for twenty-four hours, psalms and prayers are recited for the deceased. The next day he is borne to the little graveyard adjacent and buried in the open grave which was yesterday completed for him. One of the monks steps into the grave, tenderly takes the uncoffined body in his arms, and gently lays it to rest. After the burial service, a new grave is begun beside the one just filled.

All the Trappist monasteries in the world are notified of the death of a brother, that they may join in prayers for his soul. If they have friends of relatives in the world, they are renounced when the monastery is entered and all communication is then ended.

The first superior of this community was Reverend Father Marie Eutropius, who became Abbot of Gethsemane in 1850, being the first elected to the office of abbot on the American continent. He was elected for life, and the election was confirmed by the Pope. His successor, the present Abbot, is the Right Reverend Father M. Edward de Bourbon. He denies any relationship with the royal family of France of his name.

These monks are, probably without exception, of foreign birth —France, Austria, and Switzerland have had representatives here. Americans make poor monks. It is said none ever wear the white cowl.

It would be impossible to estimate the influence of these Godly men, during the three-score years and five of the existence of this institution. They have generously distributed charities, they have conducted two free schools for young men, and they have hospitably given spiritual retreat to the Catholic clergy.

It seems incongruous, however, that a monastery, in which the mediaeval austerities are but little abated, should exist in the twentieth century in pleasure-loving Kentucky.

Seventy-six Years Before the Aquitania

Old New Yorkers' Welcome to the Great Western and Sirius on their Arrival from England on April 23, 1838

BY FRANCES IRVIN OF NEW YORK CITY

THE Aquitania, latest giantess of the sea, is a wonder of size and completeness, but even she could not impress New York with the sense of marvel as did that "great" ship, the Great Western, which came into port seventy-six years ago, on the 23d of April, 1838, first steamship to cross the Atlantic westward and come up through the Narrows out of the mystery of the sea.

In fact, two steamers came up the harbor that day, but the Great Western won the greater plaudits, for the other steamer, the Sirius, had left the other side three days earlier.

It was an epoch-marking day in New York. Throngs of people gathered on the Battery when the news was spread that the first two steamships to cross the Atlantic had made port safely, and were coming up the harbor in the late afternoon.

The Sirius, which had started from Cork, Ireland, eighteen days before, was the first to arrive. The *Herald* Ship News Bureau sent the news to the city; rockets were sent up, and a crowd began to collect. The Sirius was a steamship originally built for British river and coastwise travel. She was the smaller of the two ships, of only 700 tons, and 320 horsepower. She was commanded by Lieut. Richard Roberts, R. N., and owned by the British and American Steam Navigation Company of London. The same company was then building the Royal Victoria, which entered the transatlantic service later.

Closely following the Sirius, the Great Western steamed up

the harbor. She had been built expressly for the voyage, and, leaving Bristol, England, fifteen days before, had made the more speedy crossing. She had "four masts and a huge black funnel." Her length over all was 236 feet, breadth 35½ feet (including the paddle-boxes, 59 feet 8 inches); her draught loaded, 16 feet 8 inchs; tonnage, 1,340; horsepower, 450.

Contrast with these figures those of the Mauretania and Lusitania:

Length, 790 feet; beam, 88; tonnage, 32,000; horsepower, 68,000; draught (loaded), 37 feet 6 inches; speed, 25 knots; passengers, 2,300. And with those of the Aquitania:

Length, 901 feet; breadth, 97; tonnage, 47,000; speed, 23 knots; passenger accommodation, 4,210.

The Britannia, the first mail steamer, of the Cunard Line, in 1840, was of 1,154 tons, 740 horsepower, and had a speed of 8 knots. The Comet, built on the Clyde shortly after Robert Fulton's Claremont made its appearance on the Hudson, had only 3 horsepower.

The Great Western was owned by the Great Western Steamship Company, and commanded by Lieut. James Hosken, R. N. Both this ship and the Sirius were far larger than any of the sailing vessels which had thus far monopolized Atlantic trade. In speaking of the excitement in the city on the day that marked an epoch in commerce and international relations, the *Herald*, then published by James Gordon Bennett, the elder, said:

"The approach of the Great Western to the harbor, and in front of the Battery, was most magnificent! She looked black and blackguard—as all the British steamers generally are—rakish, cool, reckless, fierce, and forbidding, in their sombre colors to an extreme."

"These voyages, it must be remembered, are only experimental ones. The Sirius was not constructed for the passage of the broad sea, and came off on her expedition almost impromptu, and crossed in 18 days, on 11 of which foul winds prevailed; yet in the 18 days she ran 3,519 knots. The Great Western was built with more preparation, and has, therefore, accomplished her object more speedily; but the opinion now is that the distance

can and will be run in ten or twelve days when everything is arranged and calculated for the purpose."

The Great Atlantic Race

In August, 1839, occurred the "great race across the Atlantic" between the Great Western and the British Queen. The papers of Bristol, Eng., published the report of the race from the ship's daily record:

"The Queen careers over the mighty waters in all the plenitude of majesty, engines running at a tremendous rate."

In spite of this, however, the Great Western was the winner, her gain being 22 hours in time. The Queen's average speed was 11½ knots an hour, and her longest day's run 330 miles. In her regular runs from Bristol to New York the Great Western took from 13 to 21½ days. From New York to Bristol, she made the trip in 12¼ to 15 days, the passengers and dispatches reaching Paris, by way of England, on the fifteenth day.

In the summer of 1843 the Great Britain was launched, to run in connection with the Great Western. The current account:

"This magnificent vessel, which was launched recently at Bristol, is composed entirely of iron, and is the largest ever built since the days of Noah. There are no paddle wheels or boxes, the Archimedean screws being used. Her burthen is 3,600 tons, being 2,000 tons more than that of the Great Western. She will be propelled by engines of 1,000-horsepower combined. Her length is 332 feet. She has four decks; the second deck consists of two promenade saloons. The third deck consists of the dining saloons. The whole of the saloons are eight feet three inches high, and surrounded by sleeping berths, of which there are 26 with single beds, and 113 containing two, giving 262 berths. This large number is exclusive of the accommodation which could be prepared on the numerous sofas. She is fitted with patent wire rigging. The hull is divided into four watertight compartments, and the quantity of coal consumed will be about 60 tons per day. Upwards of 1,500 tons of iron have been used in her construction, and that of the engines and boilers. She is double rivetted throughout. The ship is fitted with

very powerful pumps, which can throw off 7,000 gallons of water per minute."

The agents of the Sirius were Wadsworth & Smith, of 4 Jones Lane. The agent for the Great Western in New York was Richard Irvin, of 98 Front street; his grandson, bearing the same name, still carries on the firm. Richard Irvin was of a family of Glasgow merchants. At the age of twenty he joined his uncle, Thomas Irvin, in New York, the latter having established himself there about 1787. Richard Irvin was one of the first to become interested in the subject of the Atlantic cable, but had grave doubts as to its practicability, chief among them being the apparent difficulty of repairing the cable and "picking up" the ends in case of a break.—*New York Post.*

History of the Mormon Church

By Brigham H. Roberts, Assistant Historian of the Church

CHAPTER CVII

The Inauguration of the Cooperative Mercantile System—Founding of Z. C. M. I.—Proposed Exclusiveness of Mormon Trade—Attempted Anti-Mormon National Legislation—Action of Mormon Women in Relation Thereto—Completion of the Transcontinental Railroad

THE change of policy among the Latter-day Saints of Utah with reference to trade and merchandizing, treated in the preceding chapter, naturally led in many quarters to the adoption of the cooperative method of trade. Individuals were without the necessary capital to enter the new field proposed by the Church leaders, and if their salutary advice to the Bishops and leading elders was to be carried out, it must be by many persons with small means uniting in some cooperative plan. Encouragement was given to such necessity; and by mid-summer of 1868 several cooperative institutions were under way, notably at American Fork and Lehi, in Utah county, and in other places.[1]

1. *Deseret News*, weekly, editorial of Oct. 7th, where American Fork is mentioned as having started on the co-operative plan. At Lehi a co-operative store was opened on the 23rd of July, 1868, under the name of the "Lehi Union Exchange." The shares of stock were $25. The institution had but $357.50 worth of goods to begin with, but procured fresh supplies as fast as they were needed. At the end of December a dividend was declared amounting to $28.55 to each share of $25.00. They bought the whole of their goods of Salt Lake merchants, sold them at Salt Lake retail prices, and cleared over 100 *per centum*. Naturally the number of share holders rapidly increased after that showing. (*Deseret News*, weekly, Jan. 27, 1869. "Now is the time to act," said the *News* editorial of October 7th, "as the inhabitants of American Fork have acted, and as the people of other places are doing, co-operate, sell shares so low that all who earnestly desire can become shareholders, and let the entire people be merchants on the co-operative principles;" and the movement was accelerated. It was not difficult to convince the people of Utah of the value and advantage of the co-operative principle in community mer-

In the fall of 1868, the question of establishing a central wholesale and retail store in Salt Lake City was agitated. A meeting was held on the 9th of October,—the day following the close of the semi-annual conference, by a council of the leading men of the Church, "and it was decided to take immediate steps to establish a cooperative mercantile business wholesale and retail, to supply the wants of the people of the Territory. Over $70,000 was subscribed in the council."[2] Other meetings followed within the next few days, and the leading elders were sent into the various wards of Salt Lake City, and adjacent settlements to present the subject for the acceptance of the people.[3] On the 15th a meeting was held in the City Hall, at which about one hundred were present. Brigham Young was chosen President and W. H. Hooper Vice-President of "Zion's Cooperative Association." Geo. A. Smith, Geo. Q. Cannon, Horace S. Eldridge, H. W. Lawrence, and Wm. Jennings were chosen the board of directors; and a committee was appointed to draft a constitution and by-laws for the association.[4]

Notwithstanding this organization, however, the movement dragged somewhat in its development. Indeed the movement for cooperative stores seemed much more popular in other parts of Utah than in the capital of the Territory—the headquarters of the Church. At Brigham City, Boxelder county, a cooperative movement had begun in 1864, which was rapidly achieving success under the direction of Elder Lorenzo Snow; and was destined to carry community cooperative industry to its highest achievement in Utah.[5]

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cantile ventures, for many of them were familiar with its success in northern England, where it took its rise in 1844, among the flannel-weavers of Rochdale, and the founding of their "Equitable Pioneers' Co-operative Store;" whence the movement spread over all England in the course of a few years. An interesting account of the movement is given in McCarthy's "Hist. of Our Own Times," American edition, Vol. IV, pp. 145-153.

2. From the Historian's Office Journal, copied into Hist. of Brigham, *Ms.*, 1868, p. 1178.

3. *Deseret News*, weekly, of Oct. 14, contains the names and assignments of the speakers complete.

4. *Deseret News*, weekly, of Oct. 21, 1868. The committee were F. D. Richards, Aurelius Miner, Henry W. Naisbett and Joseph Woodmanse.

5. The history of this movement under the title of the "Brigham City Mercantile & Manufacturing Association" is given by Lorenzo Snow in a letter to Bishop Lunt, of Cedar City, Oct., 1876. The writer states that they began operations in Brigham City over twelve years before, recites some of their experiences,

At Provo the movement forged ahead more rapidly and for a time threatened to become the headquarters of the general movement.[6] Brigham Young gave encouragement to the Provo organization, effected early in 1869, by becoming a stockholder, and also by suggesting that the Provo institution purchase directly from the east rather than from Salt Lake merchants. This action had the desired effect, the Salt Lake merchants bestirred themselves; and on March 1st, 1869, a wholesale branch of the Zion's Cooperative Mercantile Institution was opened in the Eagle Emporium Building, rented of Mr. Jennings.[7] Another wholesale branch was opened a few days later in the old "Constitution Building," previously occupied by the Eldridge and Clawson firm of merchants. About a month later, April 21st, a retail branch was opened in a building previously occupied by Messrs. Ransohoff and Co.[8] H. B. Clawson became the general Superintendent of the concern. Thus what finally became the great central cooperative mercantile institution of

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and gives the status of the institution at the date of his letter. In addition to a company store they founded a woollen mill, tannery, hat factory, lumber mills, a dairy, beginning with sixty cows, which were finally increased to five hundred head; sheep and cattle herds; horticultural and agricultural departments, also a carpenter and masons' department. At the height of its development, the association comprised between thirty and forty industrial branches, with a superintendent over each. A series of misfortunes, not due to the system, however, brought the experiment to its close a few years after the date of the above letter. These misfortunes were the burning down of the woolen mill, at a loss of $30,000; the "scrip" which they issued as a medium of exchange within the association was illegally taxed as "currency," and pending an appeal to the Supreme Court of the United States the amount, $10,200, had to be borrowed and paid. Six years later the Supreme Court decided against the Collector, but the decision came too late to be of benefit to the Association beyond restoring the amount it had borrowed. There was also an illegal raid upon a saw mill encampment in Idaho, on the pretext of levying stumpage tax, resulting in a direct loss of from $6,000 to $8,000, besides the indirect loss of the contract with the Utah Northern Railway and the breaking up of the lumber mills. These losses, together with several destructive years of grasshoppers and drought, and the panic year of 1873, proved too much for the Co-operative Association, and it finally went out of existence. For the above and much more pertaining to this interesting and for many years successful co-operative effort, see Biography and Autobiography of Lorenzo Snow by his sister, Eliza R. Snow, chapters 38 to 42, inclusive, and chapter 60, p. 451.

6. The likelihood—for a time—of Provo becoming the headquarters of the central institution is discussed at length by Whitney, in his History of Utah, Vol. II, Ch. XIII. He represents the possibility of Provo becoming the headquarters of the co-operative movement being used by Brigham Young as a spur to the inactive organization in Salt Lake City, and to suppress a rising opposition on the part of some "Mormon" merchants, who saw in the new movement a likelihood of their losing some of the personal advantages and opportunities they then possessed. (*Id.*)

7. See *Deseret News*, daily, March 1st, 1869.

8. *Deseret News*, daily, April 21st, 1868.

Utah was launched upon its career.[9] The Provo cooperative store became a branch of this central institution at Salt Lake City; and branch houses were organized in Ogden, Logan and elsewhere.

The Zion's Cooperative Institution operated under a constitution and by-laws which announced its purpose, but it was not incorporated as a company until December, 1870. Indeed there was no law under which such a company could incorporate until the passage of the general incorporation act by the legislature approved February 18th, 1870.[10] In its first circular, including the proposed constitution under which it would act, the preamble announced that the parties forming the institution were "convinced of the impolicy of leaving the trade and commerce of the Territory to be conducted by strangers;" and therefore had resolved "to unite in a system of cooperation for the transaction of their own business." In its advertisement in the *Deseret News* it was announced that the object of the concern was "the consolidation of the mercantile interests of this Territory [Utah] and the distribution of general merchandise to the people at a small margin of profit." In the body of the first constitution (sec. 20 and 21) it provided that

"No person or persons shall be eligible for membership, except they be of good moral character and have paid their tithing according to the rules of the Church of Jesus Christ of Latter-day Saints.

9. Commenting upon the establishment of this central co-operative institution which was so largely of the nature of a business revolution, the *Deseret News* said: "We have never witnessed in peaceful times among us a more willing, unselfish and magnanimous spirit, than has been exhibited by many of our merchants in aiding in the establishment of this Co-operative Institution. They have been ready and desirous to do all that could be asked of them. What might be looked upon as their own personal interests, viewed from the standpoint generally occupied by men, have not been considered; but when it was fully decided that it was wisdom to establish this institution, they arranged their own business in such a manner that it would not interfere in the least with the successful carrying out of the proposed plan. This change, to those who do not understand the principles in which the Latter-day Saints believe, and upon which they act, must, to say the least, have been surprising. To see men in the full tide of success perfectly willing to invest largely in the Co-operative Institution, to change their business, or even retire from it altogether, and rent their buildings, and to do all in their power to make a plan a success, which, according to the ideas that prevail in the world, if successful, must inevitably result in injury to their business, is something so remarkable that it can not escape comment. It is only another proof, however, added to the many which the world have already received, of the devotion of the Latter-day Saints to principle."

10. Laws of Utah, 1870, pp. 136-140.

"The directors of this Institution shall tithe its net profits prior to any declaration of dividend, according to the rules of the Church mentioned in the preceding section."

These sections made the proposed institution a strictly "Mormon" concern, and provided for the collection of tithes "at their source." When the institution was incorporated these sections were not included either in the constitution or by-laws. Also a change was made from "perpetual succession" to a period of twenty-five years (renewed at the expiration thereof—1895—to 50 years).

Of course the central principle of the movement—including the local institutions as part of the scheme—was to enable the people to become in effect their own merchants, and share in the profits of the business by a wide distribution of the shares of stock among the people; and thus tend to discourage the concentration of wealth in the hands of a comparatively few individuals, everywhere recognized as an evil. If it failed in the full realization of all the hopes built upon the plan, it did, in part, realize them; and conferred indirect benefits upon the community that have been of great value, among which may be named the stoppage—especially in the early years of its existence—of exorbitant profits from merchandising, by which the industry of the people was so heavily taxed; and second by stopping the old practice of increasing the price of an article because it was scarce. Zion's Co-operative Mercantile Institution could boast at the end of its first twenty-five years of existence that it had always "declined to be a party to making a corner upon any article of merchandise, because of the limited supply in the market,[11] "and of course by such a concern refusing to become a party to this practice, others could not successfully indulge in it. Another public benefit has been the encouragement it has always given to the general principle of co-operative endeavor in all branches of industrial activity. In 1876 the institution erected its own great buildings on main street, where it it at present—1914—quartered with both its wholesale and re-

11. See the circular issued by Z. C. M. I. July 10th, 1875, in Tullidge's Hist. of Salt Lake City, pp. 728-732.

tail establishments, and some of its manufacturing departments adjacent. As a business "it has proved to be as successful as its most sanguine friends anticipated."

Taking the central organization for their pattern, smaller cooperative institutions sprang up in many of the wards in Salt Lake City and throughout the settlements of Utah. Indeed it was part of the general scheme that they should do so, since only in that way could the cooperative principle be so extended as to become of greatest advantage to the people; only in that way could the people really become their own merchants and share the profits of the trade. But it was in these smaller institutions that the limitations of the system and its element of weakness first made its appearance, born of the instability of individuals. It was not difficult to induce individuals to invest in the local cooperative concerns. Those having a little means on hand readily saw the advantage of it, and took shares, and for a time these institutions were really cooperative stores. But soon the necessities, real or imagined, of the holders of the stock led some of them to part with it, to meet some unlooked for emergency; sometimes there was dissatisfaction with the management, and it was easy to evade trouble or be rid of unpleasantness by selling off one's stock. There were always those who recognized the cooperative store as a good thing and were ready to buy, especially at a discount of the real value of the stock, so that gradually the stock drifted into fewer, and ever fewer hands, until the cooperative feature disappeared, being displeased by a joint stock concern or corporation. In time the forces that had been at work in the wider circle operated in the narrower one of the persons comprising the corporation. Those immediately interested in the management of the local concern, and who devoted their whole time to it became the ones most intensely interested in the business; and by sheer force of that interest, in time, came to regard the business as personal, and proceeded by the purchase of stock intermittently offered for sale, until the movement ended very generally in the cooperative store becoming in fact a personal business, run by those having natural capacity for, and inclination to such activities. Where the local "co-op stores" have

survived in name, they exist only as corporations or joint stock concerns. It is in that form also that the parent institution, Z. C. M. I. of Salt Lake City, has survived, though its stock is upon the market and may be purchased by all who choose to invest. Its high value, however, and its stability, make it desirable to retain as a permanent holding, and hence but little movement in its stock, and therefore but infrequent changes in the personnel of its stockholders.

Connected with this mercantile cooperative movement was an extension of the effort to restrict Mormon trading to those of their own confraternity. In the boycot of 1865-6, a distinction had been made between non-Mormon merchants who were hostile to the Latter-day Saints and had joined forces with the anti-Mormon political agitators, usually called "regenerators," and those who held aloof from these manifestations of unfriendliness toward the Latter-day Saints. But at the October conference of 1868 this distinction was no longer adhered to; a boycott was urged against all non-Mormons. "How tight are you going to draw the reins?" was the self-asked question of Brigham Young in his discourse of October the 8th. And he answered it: "I want to tell my brethren, my friends, and my enemies, that we are going to draw the reins so tight as not to let a Latter-day Saint trade with an outsider;"[12] meaning by that a non-Mormon. And steps were taken to make the resolution that the Latter-day Saints be a self-sustaining people effective.[13]

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12. Sermon of Oct. 8th, 1868, Journal of Discourses, Vol. XII, p. 286. Orson Pratt, who seldom took radical views on such subjects, declared with reference to Gentile merchants that "as an individual, unless men repent and keep the commandments of God, he would not trade with them to the extent of one dime." See minutes of the October Conference, *Deseret News* of Oct. 14th, 1868.

13. This was done mainly by teaching the people through all the agencies at the command of the Church: by public teaching from the pulpit; by private instruction in the homes of the Saints by the ward teachers, who are standing officers in the Church to render a teaching service; by warning those inclined to act independently, and to trade where they pleased notwithstanding the crisis then pending, that they could not hope to retain fellowship with the Latter-day Saints if they persisted in that course; and lastly, by requiring Mormon retail merchants who had not actually entered into the co-operative movement, to agree to purchase their goods at the wholesale Mormon co-operative store, and erect a sign over their own stores bearing the words *"Holiness to the Lord,"* in token of their acceptance of the principle of co-operation and of their sympathy with the movement of exclusiveness of trade with each other among Latter-day Saints. See journal of Discourse for this period, *passim;* also *Deseret News* editorials, for the same period, *passim;* and for the latter item *Deseret News* Correspondent "Z" in impression of Dec. 15, 1869, semi-weekly, editorial *Id.* of Dec. 29th, 1869; and Rocky Mountain Saints, p. 625.

Under normal conditions of society in an American commonwealth, it would be difficult to justify a determined boycot against one class of the community based upon non-membership in a given religious society; but conditions in Utah at that time were not normal. The trans-continental railroad was approaching both from the east and the west and would soon form a junction in Utah. The advent of the railroad it was loudly boasted would overthrow "Mormon" domination, Brigham Young would be dethroned. "Thousands of Gentiles would come in where only tens had come in before." The mines would be opened and there would be a power of numbers and of influence that would be overwhelming to Brigham Young and Mormonism. It was not quite certain what "precise form" the "revolution" would take, or "where the entering wedge" would be placed that would "split this rotten trunk to pieces," but it was confidently boasted that it would be done. Moreover, the general government would be expected to take a part in the revolution. "It must come here with authority and power to protect citizens who are not Mormons, and will not be subservient to them," said one who was influential in those days on Western questions, "who will try titles to property with them, who will claim the right to marry their superfluous wives, who will set up rival churches and schools and papers, and all the other enginery of freedom and revolution." The work might be slow, sapping the strength of the Church by the processes of education, discussion and law;" or it may come," said our influential one, "suddenly and sharply in a violent collision between the new settlers and the old, with the government taking the side of the former as the side of its long-neglected, long out-raged laws. But come it must and will. To doubt would be to question progress, to deny civilization, to outrage God."[14]

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14. "Our New West," Bowles, 1869, pp. 260-1. It will be observed that this appears in a book published in 1869, while the discrimination inaugurated against non-Mormons by Brigham Young, and referred to in the text, took place in the closing months of 1868; but these views voiced in "Our New West" in 1869, had been the burden of the press in the United States and in proposed anti-Mormon congressional legislation for a number of years before that time. Mr. Bowles himself had said something akin to them in his book describing his first visit to Salt Lake City with Mr. Colfax, in 1865. See "Across the Continent," pp. 108-9.

There was to be a veritable crusade with the advent of the railroad, and the "old settlers," who had pioneered the way to the Great Basin and redeemed the land from its stirility and conferred upon it its values; the community that had founded a common-wealth in the wilderness between Missouri frontiers and the Pacific slope of the Sierra, that for years had been the half-way house of the nation's western migration, were to be overwhelmed—treated without consideration; with not only the new population arrayed against them, but with the influence of the general government also thrown upon the scales on the side that would be to their disadvantage.

In this connection it should be noted that a number of hostile schemes during several previous years, and also at the time of this cooperative movement with its attendant exclusion of Gentile merchants from Mormon patronage, had been discussed in Congress, and some of them were then pending before that body. Among these was what was known as the Wade Bill introduced in the Senate in June, 1866, which aimed at nothing short of complete destruction of local self-government in Utah. The militia of the Territory, hitherto created and regulated by Territorial legislative enactments, and its officers elected under provisions of law, was to be made the creature of the President —appointed governor of the Territory, to be organized and disciplined in such manner and at such times as he should direct; while all the officers of the militia were to be selected and appointed, as well as commissioned, by him. A revolution no less destructive of local government was proposed in the judiciary. The U. S. Marshall was to select the juries, grand and petit; the probate judges in all the counties were to be appointed by the Governor. Officers in the Mormon Church were to be prohibited from solemnizing marriages; the sections of the Territorial law exempting the real and personal property of the Church from taxation was to be annulled, excepting only that there was to be exempted $20,000 worth of property from taxation; also the provisions which gave the church authority to make rules and regulations in relation to fellowship in the Church were repealed, and the Trustee in Trust, under penalty of fine and imprisonment, was required to make a full report, on oath, every year, to

the governor of the Territory accounting for "all Church properties, moneys in bank, notes, deposits with the Church," etc.[15]

The bill did not become a law, but it proclaimed the dangers that menaced the liberties of the Latter-day Saint community in Utah. Nor did those dangers cease with the failure of the Wade Bill to become a law. Following the Wade Bill came the Cragain Bill, introduced by the Senator whose name it bears,[16] on the 13th of December, 1867. It was a more vicious measure than the Wade Bill, in that in addition to retaining all the bad features of the former it frankly proposed to abolish trial by jury in cases arising under the act of 1862 (anti-Bigamy law) "and of this act," and authorized prosecution on information by the prosecuting attorney, instead of by indictment of a grand jury.[17] Such was the state of public opinion throughout the United States respecting Mormonism, such the hope for its submergence by the advent of the railroad, such the measures introduced into congress in aid of the destruction of the Mormon influence and the Mormon community, when the no trade intercourse with Gentile merchants was promulgated by the Church authorities. And in view of all the circumstances under which it was inaugurated, was it matter for astonishment? There could be no question as to which side the non-Mormon influence would veer when the onslaught of the hoped-for incoming masses should be made, however non-commital or friendly they

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15. A digest of Wade's bill, and a number of its most mischievous sections complete will be found in Tullidge's History of Salt Lake City, ch. XLII. And the measure complete will be found in the Congressional Record of July 12th, 1866. Benjamin Franklin Wade, familiarly known as "Ben Wade," was United States Senator from Ohio, 1851-1869. He was an anti-slavery leader, and acting Vice-President under President Andrew Johnson.

16. Aaron H. Cragin, of New Hampshire, Chairman of the Senate Committee on Territories.

17. A complete copy of the bill will be found in *Deseret News* of Jan. 8th, 1868. Commenting editorially on the bill, the *News* said: "The forty-one sections into which his bill is divided, might have been spared had he [the author of it] stated his object in plain English. Had he stated what he thinks—No American citizen who is a 'Mormon' has any rights—he is not a free man, but is a slave, to be tried, convicted, fined, imprisoned, at the will of his masters—to be made to pay taxes, but to have those funds spent by his masters in persecuting and torturing him and enriching them for the service—to wear the form of man, but to have none of the privileges of manhood—to have no right to believe the Bible, practice its precepts, follow its examples, or to worship its God. These are the sentiments and objects of this bill. They might have been stated more pointedly in a few words than in so many columns." (*Deseret News* of Jan. 8th, 1867.)

might appear previous to that time. In the midst of all this din of preparation for the coming conflict resident non-Mormons made no protest against the proposed injustice. It could scarcely be expected that the Latter-day Saints would be silent and make no effort to resist the destruction of their community life, so confidently expected and desired by their opponents. What more natural than that they should determine that if they must be broken as a community they would not be found so spiritless as to give financial aid to those who would assist in their undoing. They could at least take a position in business affairs that would exhibit the solidarity of the Church membership, and serve notice upon those who were coming to overslaugh them, that if any considerable number of them were merchants they must bring their patrons with them for they would find none among Latter-day Saints. By a policy of no trade intercourse with non-Mormons made effective, the Latter-day Saints could preserve themselves, no matter what the influx of new population might be; and, besides, their trade, now being of sufficient volume to be eagerly sought for in the east, could be made to create a friendly influence that would make itself felt at the scource of proposed restrictive legislation, in Congress, since that body held that it possessed the right to legislate for the Territories in all cases whatsoever. It was a time to lay emphasis upon that part of the truth uttered by the Christ—"He that is not with me is against me; and he that gathereth not with me scattereth abroad;"[19] and not the other part of the truth which holds that "he is not against us is on our part."[20] It was a time of war—a struggle for community existence, and as a measure of self preservation until the danger was past, and normal conditions restored, the no trade intercourse policy with Gentiles was naturally to be expected, was justifiable, and was brave, and wise.

To close up the account of the proposed anti-Mormon legislation through the years 1866-1870, it should be said that the Cragin Bill did not receive consideration at the session of 1867-8; and was brought forward a second time by its author but with some amendments, on the 21st of December, 1869. About the same

19. Matt. xii:30.
20. Mark ix:40.

time Shelly M. Cullom, then a representative from the state of Illinois, introduced a bill in the lower house of Congress that bore his name. The "Cullom Bill" was less drastic than the Cragin Bill,[21] but was still vicious and oppressive in some of its provisions. After passing the house it was accepted by the senate committee on Territories in place of the Cragin Bill, but to the credit of Congress, at that time, be it said, the bill did not become law. It was claimed that these several measures were framed in Utah by some of the federal officeholders and the political adventures and lawyers who had drifted into the Territory; and that they were merely accepted and presented to Congress by the senators and representatives whose names they severally bear, and from the advantages that would accrue to this class in Utah if the proposed legislation had been enacted into law, the supposition was very reasonable, and amounted to moral certainity.

In addition to these measures a scheme was introduced by Mr. James M. Ashley, a representative from Ohio, in January, 1869, for the dismemberment of Utah Territory. It proposed to give a strip of Utah's Territory on the west, about two degrees in width—118 miles wide, to Nevada, which state had already been created out of Utah's original domain as fixed by the boundaries of the Organic Act of 1850. It proposed giving a like strip from the east side of Utah through part of its extent north and south to Colorado; and another subdivision on the northeast to the then forming Territory of Wyoming. Utah shorn of these slices of her Territory, would then have been a narrow strip of territory through part of what is now the central division of the state of Utah, for some distance two degrees wide, and for the remainder one degree in width, as follows: That part of the Territory lying north of a line near Farmington in Davis county,

21. It has sometimes been said that the Cullom bill was even worse than the Cragin bill. This statement must have been made without comparing the two bills Cullom's bill did not abolish indictment, and trial by juries, and substitute information by the prosecuting attorney instead of indictment; nor a trial before a judge, instead of a jury trial; nor did it require the Trustee in Trust of the Mormon Church to make an annual financial report to the Governor of the Terrtory as did Senator Cragin's bill; nor prohibit ministers of the Mormon faith from performing marriage ceremonies. It was because the Cullom bill was less drastic than the Cragin bill that it was accepted by the Senate Committee on Territories in place of the latter, rather than because of its increased severity against the community at which it was aimed.

including Morgan, Weber, Cache and Rich counties, would have been included in Wyoming: From about Farmington southward, as far as about Levan, in Juab county, and thence to the present southern boundary of the state it would have been, one degree or about fifty-nine miles wide, which would have included Scipio, Fillmore, Beaver, Parowan, within the strip, but would have consigned Cedar, Washington, St. George, and other Utah Dixie settlements to Nevada;[22] and the most of Sanpete county would have become part of Colorado. A Washington correspondent of the N. Y. *Times* in analyzing the Ashley Bill pointed out that about 25,000 of Utah's population would go to the new Territory of Wyoming, and 10,000 to Nevada. With reference to the population assigned to Nevada the *Times* correspondent said that Utah was free from debt, but by this arrangement 10,000 citizens of Utah would be called upon to assist in paying the large state debt of Nevada "which they had no hand in contracting."[23]

"I drew the bill originally," said Mr. Ashley, "to blot out the Territory, but the committee thought it best to let that part of it remain where the great body of the Mormons were until such time as the population of the adjacent Territories and state would be able to take care of them, and not be overborne by the consolidated vote of that oligarchy." He further explained that the purpose of the bill was to make statehood impossible for a Territory where Mormons were the dominant population.[24]

Utah's Delegate to congress discussed the question in the house on the 25th of February in a very able speech that is worthy to be classed among the permanent documents of Utah's history.[25] The bill, as it deserved, failed of enactment into law.

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22. The sections of the bill that deal with the carving up of Utah are quoted in *Deseret News*, weekly, of Feb. 3rd, 1869; and the bill entire is described by its author in Congressional Globe for Jan. 14th, 1869, p. 363.

23. The New York *Times*, correspondence is dated at Washington, Jan. 25, 1869. This dismemberment the *Times* correspondent characterizes as "flagrant injustices," but announces that it is likely to defeat the purpose intended—breaking up the political power of the Mormons community—since it would result in giving them the balance of power in Nevada, Wyoming and Colorado, as well as the control of the strip of Territory remaining as "Utah."

24. See remarks in Congressional Globe of Jan. 14, 1869, pp. 363, 364. The discussion which took place when the bill was introduced and put upon its passage, is quoted in part, in the *Deseret News* of 3rd February, 1869.

25. The speech appears in Congressional Globe of February, 1869, also in the *Deseret News*, extra, of April 7th, 1869. As a counter plan to that of Mr. Ashley,

While the several bills relating to plural marriage were pending in Congress, an incident occurred in Salt Lake City and many other places in Utah, that ought to go far towards correcting a very general misapprehension respecting the plural marriage system in the Church of the Latter-day Saints, *viz,* that plural marriage existed against the desire and will of the women of that Church. Early in January, 1870, action was taken in the regular sessions of several of the Female Relief Societies[26] protesitng against the passage of the Cragin and Cullom Bills. Finally a great mass meeting of the women of the church was held in mid January, in the Tabernacle, which, despite inclement weather, was attended by several thousand women,—estimated at from five to six thousand,—including practically all the leading women of the Church. Mrs. Sarah M. Kimball, president of the Relief Society of the 15th Ward, was elected president of the meeting. A committee on resolutions was appointed,[27] which reported in mid-progress of the meeting.

The point in the resolutions important now, is in the following quotation:

Resolved: "That we, the ladies of Salt Lake City, in mass meeting assembled, do manifest our indignation and protest against the Bill before Congress, known as the Cullom Bill, also the one known as the Cragin Bill, and all similar Bills, expressions and manifestos.

Utah's delegate, Mr. Hooper, suggested the following: "Abandoning all appeal to the cowardly, who are seldom generous, I turn to the courageous, who are strong in the conviction of their own moral power, and tell them that if Mormonism is a fatal heresy they owe it to its own deluded disciples to neglect none of the legitimate means of argument and practice for their conversion. If Mormonism is an error there is no community on the face of the globe, and no class of people, so vitally interested in its repudiation as the majority of the people of Utah, who are its victims. Rather than curtail the proportions of the Territory and cut off its settlements from contact with the railroad, you should seek to enlarge its area, encourage its population by all classes of good citizens, giving the amplest protection of law by substituting for its present organization [the territorial form of government] a more ample, complete, and sovereign form of government, leaving the issue with God and the inevitable forces of nature." (*Deseret News,* Vol. 18, p. 105).

26. Such action is noted as taking place in Springville, Utah county. (*Deseret News* of 19th of January, 1870). Also in the 15th Ward on the 6th of January. Indeed it was this latter meeting which suggested the general mass meeting held in the Tabernacle described in the text. (See *News* of Jan. 12th, 1863) Linn is in error in saying this woman's mass meeting occurred in March after the passage of the Cullom bill in the House.

27. The names of the Resolutions Committee were Mrs. M. T. Smoot, M. N. Hyde, Isabella Horn, May Leaver, Priscilla Staines, Rachel Grant, all presidents of Female Relief Societies in various wards in Salt Lake City.

Resolved: "That we acknowledge the Institutions of the Church of Jesus Christ of Latter-day Saints as the only reliable, safe-guard of female virtue and innocence. . . . We are and shall be united with our brethren in sustaining them against each and every encroachment."[28]

The spirit of the meeting was well represented in the following excerpt from the speech of Mrs. Levi Riter:

"We have not met here, my beloved sisters, as women of other States and Territories meet, to complain of the wrongs and abuses inflicted upon us by our husbands, fathers and sons; but we are happy and proud to state that we have no such afflictions and abuses to complain of. Neither do we ask for the right of franchise; nor do we ask for more law, more liberty, or more rights and freedom from our husbands and brothers; for there is no spot on this wide earth where kindness and affection are more bestowed upon women, and her rights so sacredly defended, as in Utah. We are here to express our love for each other, and to exhibit to the world our devotion to God, our Eternal Father; and to show our willingness to comply with the requirements of the gospel,—*and the law of Celestial Marriage is one of its requirements that we are resolved to honor, teach and practice, which may God grant us the strength to do*" ("Amen!" from the audience).[29]

Mrs. Phoebe Woodruff said:

"Shall we as wives and mothers sit still and see our husbands, and sons, whom we know are [but] obeying the highest behest of heaven, suffer for their religion without exerting ourselves to the extent of our power for their deliverance? No! verily, no! God has revealed unto us the law of the Patriarchal order of marriage, and commanded us to obey it. We are sealed to our husbands for time and eternity, that we may dwell with them and our children in the world to come, which guarantees unto us the greatest blessing for which we are created. If the rulers of our nation will so far depart from the spirit and the letter of our glorious Constitution as to deprive our Prophets, Apostles and Elders of citizenship, and imprison them for obeying this law, *let them grant us this our last request, to make their prisons large enough to hold their wives, for where they go we will go also.*"

28. Minutes of Woman's Mass Indignation Meeting. *Deseret News* of Jan. 19th, 1870, where the proceedings in full are recorded.
29. *Ibid.*

Mrs. Eliza R. Snow, General President of the Female Relief Societies of the Church, in the course of her speech, a well sustained effort, said:

"When our husbands and sons—our fathers and brothers are threatened being either restrained in their obedience to the commands of God, or incarcerated year after year in the dreary confines of a prison, will it be thought presumptuous for us to speak? Are not our interests one with our brethren? *Ladies, this subject as deeply interests us as them.* In the kingdom of God, woman has no interests separate from those of man—all are mutual.

"Our enemies pretend that in Utah, woman is held in a state of vassalage—that she does not act from choice, but by coercion—that we would even prefer life elsewhere, were it possible for us to make our escape. What nonsense! We all know that if we wished, we could leave at any time—either to go singly or we could rise *en masse,* and there is no power here that could or would ever wish to prevent us. . . . The history of this people, with a very little reflection, would instruct 'outsiders' on this point. It would show at once that the part which woman has acted in it, could never have been performed against her will. Amid the many distressing scenes through which we have passed, the privations and hardships consequent on our expulsion from state to state, and our location in an isolated, barren wilderness, the women in this Church have performed and suffered what could never have been borne and accomplished by slaves.

"Were we the stupid, degraded, heart-broken beings that we have been represented to be, silence might better become us; but, as women of God—women filling high and responsible positions—performing sacred duties—women who stand not as dictators, but as counselors to their husbands, and who, in the purest, noblest sense of refined womanhood, being truly their helpmates—we not only speak because we have the right, but justice and humanity demand that we should. . . . Like the loving Josephine, whose firm and gentle influence both animated and soothed the heart of Napoleon, we will encourage and assist the servants of God in establishing righteousness; but, unlike Josephine, never will political inducements, threats or persecutions prevail on us to relinquish our matrimonial ties—they were performed by the authority of the Holy Priesthood, the efficiency of which extends into eternity."[30]

30. *Ibid.*

Harriet Cook Young said:

"It is as co-workers in the great mission of universal reform, not only in our own behalf, but also, by precept and example, to aid in the emancipation of our sex generally, that we accept in our heart of hearts, what we know to be a divine commandment; and here, and now, boldly and publicly we do assert our right, not only to believe in this holy commandment, but to practice what we believe.

"While these are our views, every attempt to force that obnoxious measure [then pending in Congress] upon us, must of necessity, be an attempt to coerce us in our religious and moral convictions, against which did we not most solemnly protest, we would be unworthy the name of 'American women.' "[31]

It it shall be asked, as it was asked in one of the sessions of the House Committee on Territories when the Cullom Bill was being considered, how a woman could be brought to believe in and accept polygamy as a proper status; and "how long does it take woman to change her entire nature in that respect;" the best answer that can possibly be given is the one that was given by Mr. Alexander Majors,—not a Mormon—to whom the question was addressed when before the said committee to testify on Utah affairs. As to how long it would take to so change a woman's nature in that respect he had never made the calculation. But he referred them to the Sisters of Charity of the Catholic Church, and what they did for the sake of their religion—gave up their homes, society, and what are considered the pleasures of life, and confined themselves to gloomy retreats, except when they emerge to contribute to the needy or to wait upon the sick; the women of Utah, he said, as a general rule, are just as intelligent as these; their religious impulses are just as high, and their convictions just as sincere. *They do not embrace polygamy because they choose it, but because it is their duty and will result in a higher felicity to them in the world to come.*[32]

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31. *Ibid.* Among other speakers at the mass meeting were Bathsheba W. Smith, Mrs. Warren Smith, one of the heroines of the Haun's Mill Massacre in Missouri; Mrs. Wilmarth East, Mrs. McMinn, Mrs. H. T. King, Mrs. Eleanor M. Pratt.

32. *Deseret News* summary of evidence given by Messrs. F. H. Head and Alexander Majors, impression of 23rd March, 1870. Mr. Majors was asked on the same occasion what he would do if the inhabitants of Utah should claim admission

When the news reached Salt Lake City that the Cullom Bill had passed the house of representatives, on the 23rd of March,[34] a great mass meeting convened to petition the United States senate not to pass the bill. Daniel H. Wells, Mayor of Salt Lake City, was elected President of the meeting, and there were seven vice-presidents, all prominent men of Salt Lake City. Four secretaries were chosen, and two short hand reporters recorded

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into the Union as a state. " I would admit them," he promptly answered. "With plygamy?" was next asked. "Yes, sir," he promptly answered, "with polygamy. I would let a hundred thousand polygamists come in contact with forty millions of people claiming at least to possess a higher civilization. They are paying their taxes; they are behaving themselves in all respects, except as regards polygamy, as well as any other community within our boundary."

34. Mr. Hooper, Utah's Delegate, made a very able speech against the passage of the bill, which was afterwards published in pamphlet form, under the title *"A Plea for Religious Liberty,"* it was a very able speech, well sustained throughout. Replying to Mr. Cullom, who had said that "polygamy was denounced by every state and territory of the United States," he said: "Polygamy is not denounced by every state and territory, and the gentleman will search in vain for the statue or criminal code of either defining its existence or punishment. The gentleman confounds a religious belief with a criminal act. He is thinking of *bigamy* when he denounces *polygamy*, and in the confusion that follows, blindly strikes out against an unknown enemy. Will he permit me to call his attention to the distinction? Bigamy means the wrong done a woman by imposing upon her the forms of matrimony while another wife lives, rendering such second marriage null and void. The reputation and happiness of a too confiding woman is thus forever blasted by the fraudulent acts of her supposed husband, and he is deservedly punished for his crime. Polygamy, on the contrary, is the act of marrying more than one woman, under a belief that a man has the right, lawfully and religiously, so to do, and with the knowledge and consent of both the wives." He quoted high authorities, and very many of them, maintaining Bible sanction for the rightfulness of a plurality of wives; and summarized his whole presentation of the subject as follows:

"Mr. Speaker, those who have been so kind and indulgent as to follow me thus far will have observed that I have aimed, as best I might, to show—

"1. That under our Constitution we are entitled to be protected in the full and free enjoyment of our religious faith.

"2. That our views of the marriage relation are an essential portion of our religious faith.

"3. That in considering the cognizance of the marriage relation as within the province of church regulations, we are practically in accord with all other Christian denominations.

"4. That in our views of the marriage relation, as a part of our religious belief, we are entitled to immunity from persecution under the Constitution, if such views are sincerely held; that if such views are erroneous, their eradication must be by argument and not by force.

"5. That of our sincerity we have both by words, and works, and sufferings, given for nearly forty years, abundant proof.

"6. That the bill, in practically abolishing trial by jury, as well as in many other respects, is unconstitutional, uncalled for and in direct opposition to that toleration in religious belief which is characteristic of the nation and age.

"It is not permitted, Mr. Speaker, that any one man should sit as the judge of any other as regards his religious belief. This is a matter which rests solely between each individual and his God. The responsibility cannot be shifted or divided. It is a matter outside the domain of legislative action." (*Deseret News* of April 6th, 1870, p. 104).

the proceedings. This in evidence that the meeting was an important event.

The remonstrance was ably drawn, covering nearly five columns of the *News* and closed with a series of twelve resolutions, firmly insisting in a variety of forms that revelation which gave them their marriage system as well as the system so given was an essential part of their religion, and closed by *Resolving*—

"That we tender to God, our Father in heaven, our most sincere and hearty thanks for His great blessings and kindness to our fathers in inspiring them to establish the Constitution of the United States on the basis of civil and religious liberty, and that He put it into their hearts to make that instrument the Supreme Law, which should not in any emergency be transcended, and by which all should be bound.

"That forty millions of enlightened American citizens, with half a million of priests, philanthropists and editors, ought to be able to control, without the aid of legislative enactment, an institution, which they call objectionable and immoral, through the influence of religion, the power of the press, and moral suasion, against one hundred and fifty thousand people who consider it a divine institution."[35]

As already stated neither the Cragin nor Cullom Bill was enacted into law. How far the woman's protest, the general remonstrance of the Latter-day Saints of Salt Lake City, in mass meeting assembled, the really great speech of Utah's Delegate, Mr. Hooper, the declaration of the no trade intercourse with Gentile merchants by the Church leaders—how far these singly or combined exerted an influence to bring about their defeat may not now be determined; but these several actions represent an intelligent and legal resistance to measures destructive of both civil and religious liberty, as conceived by the Latter-day Saints, and gives them during that period a place in history that chal-

35. Eleventh and Twelfth resolutions, *Deseret News*, April 6th, 1870. The American Bible Society had been sending Bibles into Utah for some time, in the hope, doubtless, that the Bible would convert the Mormons from the "error of their ways." It was a bit of indulged irony that drew the eighth resolution: *"Resolved,* That, while we thank the American Bible Society for sending us the Word of God, we think it a strange inconsistency for a Christian nation, *which has received its Bible from inspired men who were polygamists, to send that Bible to us, and then proscribe and disfranchise us for following the precepts thereof, and the practices of its inspired Prophets."*

lenges both admiration and respect. It is probable, however, that the advent of the trans-continental railroad, which was expected to do so much for the overwhelming of the Latter-day Saints, and their religion, and Church, exerted quite as much influence as any other one factor in defeating the anti-Mormon legislation introduced into congress at the period, since those great financial interests represented by individuals and by companies, which brought the railroad into existence, required peace along its line for the growth of that trade and commerce, to which they looked for the remuneration that would reward them for all their toil and all their risks in the gigantic undertaking.

We must now consider that epoch-making event already so often referred to of late in these pages—the advent of the trans-continental railroad into Utah. I have already said this event ended the romantic plains-travel period of Mormon history; but it must now be considered as opening a larger life and a closer contact with the world, both for the Church and for the Territory, and to the advantage of both.

The road from the Missouri river to Sacramento California was built by two companies the Union Pacific, and the Central Pacific, respectively. The Union Pacific, starting at Omaha built westward one thousand and twenty-nine miles; the Central Pacific built eastward eight hundred and seventy-eight miles from San Francisco.[36] Naturally there was brisk rivalry between the two companies, and it is said that the last sections of the work were constructed with a swiftness unprecedented in the history of railroad building up to that time. The cause of the rivalry was the desire to participate as largely as possible in the very liberal subsidies of money and lands granted by the general government for the construction of the road.[37] The Union Pa-

36. History of the U. S. Morris, p. 420, *note*. The railroad from Sacramento to San Francisco the Central Pacific Company purchased, hence its railroad building on the trans-continental line is reckoned from San Francisco.

37. "The passage of the bills to authorize the construction of the Pacific Railroad was one of those 'war measures' with which the people became so familiar during the long civil war struggle. Under several acts of Congress (passed between July, 1862, and July, 1864), a subsidy of government bonds payable in gold, bearing six per cent. interest, was provided for each mile of railroad built, at the rate of $16,000 per mile from the Missouri River to the base of the Rocky Mountains: $48,000 per mile for 300 miles through those mountains; $32,000 per mile for the section between the Rocky Mountains and the Sierra Nevada. and $16,000 per mile for that portion lying west of the Sierra; by a later ruling of the Government, the

cific reached Ogden on the 8th of March, 1869, and was the occasion of a public celebration.[38]

The Union Pacific company after this pushed on westward with its construction work and finally met its competitor at Promotory Summit, eighty-five miles northwest of Ogden, and north of the Great Salt Lake.[39] Here the tracks of the two companies were joined on the 10th of May, 1869, by the laying of the last rail and the driving of the last spike with befitting public ceremonies.

A large party of prominent citizens from both the east and the west participated in these ceremonies. The press of the country was very widely represented; and there were a number of prominent citizens both from Salt Lake City and Ogden. The last tie upon which met the C. P. and the U. P. rails was laid by the superintendent of construction of the U. P.—Mr. S. B. Reed—

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subsidy for the last western section was so increased that $32,000 per mile was paid for nearly the whole of the work west of the Sierra and up to the banks of the Sacramento River. In addition to this subsidy, the same acts of Congress gave to the companies building the road twenty sections (12,800 acres) of the public lands for each mile of road actually built, considerable choice being allowed the companies in their selection of the lands to be so allotted. The land subsidy gave the companies about 25,000,000 of acres in all." (History of the U. S., Bryant-Gay-Brooks (Scribner's Sons, 1898), Vol. V, pp. 354-5).

38. The manner in which the advent of the track layers of the Union Pacific Company were welcomed into Ogden is described by a correspondent of the Salt Lake *Telegraph*—Joseph Hall—for March 8th, as follows: "The citizens exhibited the liveliest enthusiasm, and testified the liveliest joy, as, from the high bluffs and every commanding elevation they feasted their eyes and ears with the sight and sound of the long-expected and anxiously looked for fiery steed. Onward and still onward thy came, and thousands and thousands of our citizens, both from here and from the adjoining settlements, decked in their holiday attire, gave a hearty welcome to the advent of the nation's great highway into this city. About half-past two p. m. they steamed into Ogden, when Colonel Dan. Gamble, with true Hibernian enthusiasm, run up the first flag, which, while floating gracefully in the breeze, was soon followed by numerous others. * * * At 4 o'clock a public stand was erected alongside the track. At 5 o'clock the procession was formed under the direction of the committee of arrangements, * * * which consisted of the mayor, members of the city council, the various schools, under the superintendence of their respective banners, with numerous appropriate mottoes, among which the following was conspicuous.

"'Hail to the High Way of Nations!
Utah bids you welcome!'"

Then followed speeches by Franklin D. Richards, the probate judge of the county in which Ogden is located, Weber county; and by the mayor of Ogden City, Hon. Lorin Farr, and others. "Amid the continued firing of the guns and the cheering music of the band," says Mr. Hall's account, "the assembly dispersed to their homes at sun down, having enjoyed one of the happiest epochs in their history, and the turning point in Utah's future."

39. The point of junction was "exactly 1,085 miles from Omaha, and 690 miles east of Sacramento." *Deseret News* report of the Junction Ceremonies, May 19th, 1869. Later Ogden by act of Congress was made the junction city of the two roads (House Ex. Doc., 46th Congress, 3rd Sess., p. 973).

handling the south end, and J. H. Strowbridge, Esq., the north end. This tie, of California laurel, an elegant wood scarcely inferior to mahogany, was French polished, and on its face a silver plate, bearing the inscription—

"The Last Tie Laid on the Completion of the Pacific Railroad, May 10th, 1869; presented by West Evans, manufactured by Strahle & Hughes, San Francisco."

On this plate were also engraved the names of the directors and officers of the C. P. R. R. Three spikes were presented to be driven into the last tie: one of gold—the last spike—was made of twenty-three $20 gold pieces, and worth, therefore, $460. It was presented by Mr. David Herves, of San Francisco, through D. Harkness of the Sacramento-press. In his speech of presentation to Governor Standford Mr. Harkness said in behalf of California:

"From her bosom was taken the first soil, let hers be the last tie and the last spike."

Upon this spike was engraved:

"The Pacific Railway, first ground broke Jan. 8, 1863, and completed May 10th, 1869. May God continue the unity of our country as this railroad unites the two great oceans of the world."

On the head of the spike was inscribed *"The last Spike."*

Nevada offered a silver spike, her representative—Hon. F. A. Fryth—saying:

"To the iron of the East and gold of the West, Nevada adds her link of silver to span the continent and wed the Oceans."

Governor Safford of Arizona in offering a spike composed of iron, silver and gold, said:

"Ribbed with iron, clad in silver, and crowned with gold. Arizona presents, offering to the enterprise that has banded the Continent and directed the pathway to commerce."[40]

In driving the last spike in the junction ceremonies, the mauls were so attached to the Western Union Telegraph wires as to

40. Proceedings at Promintory Summit, May 10th, *Deseret News*, weekly, of May 19th, 1869.

announce to the country the blows as they fell. "Instantaneously the electric current flashed the tidings east and west, that the work was done, and the same electric flash sent the reverberating discharge of 220 guns from the batteries of San Francisco."

It will be obesrved that in these ceremonies Utah was not represented by her governor, at that time Charles Durkee, since 1865; nor by President Brigham Young. The reason for this was that his Excellency had been absent from the Territory in the east during the first half of 1869—returning to Salt Lake City just on the eve of the junction celebration, but not in time to be present; although he attended the celebration at Salt Lake City, held simultaneously with the celebration at Promotory Summit. Though complaining of fatigue from his long journey, his Excellency made a brief speech at the Salt Lake City cele-

President Brigham Young, soon after the close of the annual April conference of the Church, held in Salt Lake City, had started on a visit to the settlements of southern Utah, going as far as St. George. From this journey he did not return until after the Junction Ceremonies both at Promotory Summit and in Salt Lake City were over, and for this reason could not be present.[43] One can but regret, however, the absence of these logical representatives of the Territory, in consequence of which Utah seems inadequately represented in this really great, national event.[44] It was in Utah's Territory that the junction of bration.[42]

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41. *Ibid.*

42. See *Deseret News,* weekly, of May 12th, 1869; also Bancroft's Hist. of Utah, note 50, p. 622. Durkee was well advanced in life and in feeble health. He died at Omaha in the following January, note, 52. *Id.*

43. See *Deseret News,* weekly, of May 12th, *passim,* where the progress of the President's journey is noted. He returned to Salt Lake City, May 11th (*Id.*). Whitney says that "President Young had been cordially invited to be present, but was unable to attend" (Hist. of Utah, Vol. II, p. 250).

44. This is said in no disparagement of those who represented Utah on the occasion of the ceremonies at Promontory Summit, all of whom were very honorable and representative people. But you cannot in the play of Hamlet, substitute some other of the characters of that drama for the Prince of Denmark, and still have Shakespeare's master piece. Those who represented Utah at Promintory Summit were—from Salt Lake City: Hon. William Jennings, Vice President of the Utah Central Railroad Company; Col. F. H. Head, Superintendent of Indian Affairs; Col. Feramorz Little, Director in Utah Central Railroad Company; Bishop John Sharp, Assistant Superintendent, Utah Central Railroad Company, and C. R. Savage, photographer. Ogden City was represented by the Hon. F. D. Richards, Probate Judge of Weber County; Mayor Lorin Farr, and Bishop C. W. West: Cache county by the Hon. Ezra T. Benson. (*Deseret News,* 19th of May, 1869, p 169).

the two lines was being formed, and her second town was inevitably to become the "junction city" of the transcontinental lines. It is true that the first soil moved in begininng work upon the trans-continental railroad was in the state of California, but it was Utah's legislature, among western states and Territories, which first memoralized Congress for the construction of such a road; it was her people who traced the track over which such a road might pass,[45] and her people built the grade for about fifty miles over the most rugged and difficult part of the road constructed by the Union Pacific Company; and above two hundred miles of the Central Pacific road. Referring to Brigham Young and his connection with this national enterprise, John Taylor, in a letter to the *Deseret News* very justly said:

"Nor in our list must we forget President Brigham Young, who has shouldered the heavy end of the burden, and who when asked to assist, said, "Point out the path and we will tear down the rocks, pierce the mountains, fill up the valleys, and make a pathway for the iron horse," and with the aid of Sharp and Young and others, the mountain sides have fallen, the valleys have been exalted, the pathway has been made through the mountain fastnesses, and the railroad is now *un fait accompli.*"[46]

Under all these circumstances and just claims, it was more than unfortunate that Utah was not represented in these ceremonies by her chief executive and her great Pioneer—it was an irretrievable blunder, since it was an event which could never occur again—as there could be but one *first* transcontinental railroad built, and never again could the people of Brigham Young sustain the same relationship to other transcontinental railroads as they had to this.

As already stated, a public celebration of this event was held in Salt Lake City, simultaneously with the one at Promotory Summit. In this the Governor of the state, Utah's Delegate to Congress,—then Hon. Wm. H. Hooper, members of the Salt Lake City council, a number of leading Church officials, among whom were Geo. A. Smith, John Taylor, and the Presiding Bishop of

45. See remarks of Geo. A. Smith and Brigham Young quoted later in this chapter.
46. *Deseret News,* weekly, of March 24th, 1869.

the Church, Edward Hunter—all these, and many other leading Church officials, participated in the proceedings, over which Judge Elias Smith presided.[47]

A widespread belief existed that the Latter-day Saints, and especially the Church leaders, would "view with alarm" the advent of the railroad; since it would put an end to the isolation of the Church by bringing it into immediate contact with the world. This theory supposed that the exclusiveness of the Mormon community was essential to the perpetuity of the Church. When the matter was mentioned to President Young he is said to have replied in substance that he would not give much for a religion that could not stand the advent of a railroad.[48] As a matter of fact there was no dread of the advent of the railroad either by the Church leaders or by the body of the Latter-day Saints. The legislative assembly of the Territory of Utah—exclusively Mormon in its officers and membership—on the 3rd of March, 1852, petitioned the Congress of the United States to provide for the establishment of a national central railroad from some eligible point on the Mississippi or Missouri river to the Pacific coast, and pledging their cooperation in such an enterprise. This memorial was read in the celebration over the completion of the trans-continental railroad held at Salt Lake City, on the 10th of May.[49]

On June 10th, 1868, upon learning that there was some likelihood that the trans-continental railroad would not pass through Salt Lake City, a mass meeting was called to urge upon the companies constructing the road, and upon the country at large, the desirability of having the road pass through Salt Lake City. By courtesy of President Young the use of the Great Tabernacle on temple square was given in which to hold the meeting. "About three thousand men were present, representing every class of our citizens," said the minutes of the meeting, "and the most prominent names in the Territory were among the audience on

47. For full account of celebration proceedings see *Deseret News*, weekly, of May 12th, 1869.

48. "His must be a ——— poor religion, if it cannot stand one railroad," is the representation that Mr. Bowles gives of President Young's remark. "Our New West," 1869, p. 260. Bowles was of opinion, however, that the advent of the railroad would prove fatal to the Mormon Church. (*Id.*)

49. See *Deseret News*, weekly, of May 12th, 1869. Subsequent legislatures renewed the memorial.

the stand." The mayor of the City, Hon. D. H. Wells presided at the meeting. Brigham Young was present and spoke. Referring to the companies engaged in constructing the Pacific railroad, he said:

"If I could direct the route they should take, I should have it come down Echo and Weber Canons, and from there through the lower part of Salt Lake City, and then pass the south side of the Lake to the Humbolt."

The resolutions unanimously adopted by the great mass meeting were as follows:

Resolved:—That Utah welcomes to her borders the coming railroad, and hails with pleasure closer contact and more intimate relations with her friends east and west.

Resolved:—That every advancement in civilization and enterprise will always and at all times receive a helping and friendly hand from the people of Utah.

Resolved:—That it is the wish of this meeting that the Railroad shall come to this city and pass by the south side of the Lake, and for that purpose proper and suitable grounds for depot, machine shops and improvements can be obtained within this city.

Resolved:—That one hundred thousand citizens of this Nation demand that this great national work shall be performed for the national good and for the people's benefit, and not for private profit or personal speculation.[50]

All the speakers, as well the prominent Mormon Church leaders as those not of that church connection—of whom there were many present—urged the adoption of the resolutions. Elder John Taylor, of the council of the Twelve said:

"It has been thought and charged by some that we are averse to improvements, and that we disliked the approach of the railroad. Never was a greater mistake. . . . Who penetrated these deserts, opened these fields, planted these orchards, made these roads, built these cities, and made this wilderness and desert 'blossom as the rose?' That is no mystery. Who was the first to hail and help build the first telegraph line? There

50. *Deseret News*, weekly, of June 17th, 1868, where proceeding in full, including verbatim reports of the speeches, will be found.

sits the gentleman, (pointing to Brigham Young). Who was the first to engage in leveling these almost inaccessible canons? President Young and his coadjutors. We believe not alone in theories, but in facts, in what the French properly call *actualities*. . . . We meet in friendly conclave with distinguished gentlemen connected with the eastern and western divisions of the railroad, who have been here to exchange friendly greetings with each other and with Brigham Young, and to plan for the greatest good of this great national enterprise. . . . We hail these gentleman as brothers in art, science, progress, and civilization, and whilst their hearts throb with a desire for the achievement of a great national highway, they will meet here a hearty sympathy and cordial co-operation; hearts as true, sympathies as strong, and energy as firm and enduring as that which inspires their own bosoms."

George A. Smith, the counselor in the First Presidency to President Young said:

"I was in Washington, in 1856. I was told by a Reverend Gentleman that we were 'opposed to a railroad.' I told the man that he must be very ignorant of the wishes and views of the people here, or else he gave us credit for being very fond of ox teams and 'horn' telegraphs."

Mr. Smith also said that in making the Pioneer Journey in 1847, the matter of a railroad following on the Pioneer Trail was often a matter of conversation in the camp. "A portion of our labor," said he, "was to seek out the way for the railroad across the continent, and every place we found that it seemed difficult for laying the rails, we searched out a way for the road to go round or through it." This statement Brigham Young corroborated in his second address at the above meeting:

"I do not think we traveled one day from the Missouri River here, but what we looked for a track where the rails could be laid with success, for a railroad through this Territory to go to the Pacific Ocean. This was long before the gold was found, when this Territory belonged to Mexico. We never went through a cannon, or worked our way over the dividing ridges without asking where the rails could be laid; and I really did think that the railway would have been here long before this; and I do think it would if there had not been some little eruption (Alluding to the

war between the states); but I do hope now that we will get it. As for this people not wanting the railroad, why there is no people in the world that will take the matter into consideration but will see at once that we need it more than any other portion of the community. . . . When this work is done, if the tariff is not too high, we shall see the people going east to see their friends, and they will come and see us, and when we are better known to the world, I trust we shall be better liked."

Other Mormon speakers followed in the same trend of thought; but notwithstanding the earnestly expressed desire of her citizens and the wish of the leading men of the Territory, the trunk line of the trans-continental railroad did not come to Salt Lake City, but reaching Ogden, ran northwesterly, some distance, thence west, around the north end of Great Salt Lake, and so through Nevada to California.

General G. M. Dodge in his paper on "Transcontinental Railways"—1888—states that Brigham Young and the Mormon people "refused to accept the decision of the Union Pacific Company to build the road round the north end of Great Salt Lake, and not through Salt Lake City; and that the Mormon leader "prohibited his people from contracting or working for the Union Pacific," until the Central Pacific company made the same decision as to the *route* of the railroad that the Union Pacific had, which "brought the Mormon forces back to the Union Pacific, their first love." There seems to be no *data* to justify this statement of General Dodge. No such attitude as far as can be learned was taken either by the Mormon leaders or people, though they would, as appears from previous statements, greatly have preferred that the road pass through Salt Lake City.[51]

While it was still uncertain whether the main line would pass through Salt Lake City or not, Brigham Young took a contract with the Union Pacific Company to construct the grade from the

51. The point raised by General Dodge is discussed at length by Whitney (Hist. of Utah, Vol. II, Ch. XI). While Brigham Young expressed his desire to have the road pass through Salt Lake City, in the meeting alluded to in the text, the whole tone of his speech manifests somewhat of indifference; and at one point he said: "If the company which first arrives should deem it to their advantage to leave us out in the cold, we will not be so far off but we can have a branch line for the advantage of this city." *Deseret News*, weekly, June 13th, 1868.

head of Echo Canon to Salt Lake City, should the road come that way; or should the route north of the Salt Lake be taken, then his contract would extend to the Lake north west of Ogden, covering about ninety or fifty miles according as one or the other of these places became the objective point.[52] The contract was entered into in the month of May, 1868, and immediately the greatest activity everywhere prevailed in making preparations for undertaking this grade construction over the most difficult portions of the road built by the Union Pacific company. So prompt was the response to the call for such contractors and teams and men to carry on the work, and so rapidly did they concentrate along the route of the grade, that the surveyors—notwithstanding the promise of the superintendent of construction, Mr. S. B. Reed, that the line for grading should be surveyed in a few days after the contract was let,—were behind with their work and many of the sub-contractors were kept waiting for weeks from want of knowing where to work. This, together with the fact that their operation expenses were greatly increased by the severity of the mountain winter, into which the waiting threw them, materially cut down the profits of the sub-contractors. The failure of the company to promptly meet payment on contract, also seriously embarrassed bankers, merchants, and farmers who supplied the contractors with "funds, goods, grains, and material." "Notwithstanding these drawbacks," says Bancroft, "the contracts were faithfully executed, and it was acknowledged by all railroad men that no where on the line could the grading compare in completeness and finish with the work done by the people of Utah."[53]

Contracts were also taken by men prominent in the Mormon Church from the Central Pacific railway. The grade of that road, from Humbolt Wells eastward to Ogden, a distance of two hundred miles through a desert country, was built by Lorin Farr, Ezra T. Benson and Chauncy West, joint contractors. The first was a member of the council of apostles; the last, was a Bishop, and familiarly known as "Bishop West." Mr. Farr was

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52. *Deseret News*, semi-weekly, of 22nd of May, 1868, where the terms and conditions of the contract are published at length.

53. Bancroft's Hist. of Utah, p. 754.

the President of the Weber Stake of Zion, and a number of times, both before and after this contract, was mayor of Ogden City.

Shortly after the completion of the trans-continental railroad, a number of prominent men of the Territory organized the "Utah Railroad Company, for the purpose of constructing a branch line from Salt Lake City to Ogden.[54] On the 17th of May, ground for the branch road was broken by Brigham Young, near the Weber river, immediately below Ogden City, in the presence of the officers of the road and a large concourse of people.[55] The road—thirty-seven miles in extent—was completed in less than eight months, the last spike being driven at Salt Lake City in the midst of great rejoicing by her citizens, on the 10th of January, 1870. Brigham Young drove the last spike, which was of Utah made iron. There was a large attendance of Union Pacific and Central Pacific railroad officials who participated in the speech-making, felicitating the people of Utah on their widening prospects. The occasion was one that called forth expressions of very general good will, hope of greater expansion, and larger prosperity.[56]

The branch road was wholly built by Utah capital and by Utah labor.[57] It put Salt Lake practically on the trans-continental railway; and in the years that followed, when other railways crossed the continent, their builders—with better judgment than those who constructed the first,—caused them to pass through Salt Lake City, until now Utah's capital is on three trans-conti-

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54. *Deseret News,* weekly, of the 17th March. 1869. "The following gentlemen were elected a Board of Directors: Brigham Young, William Jennings, Feramoz Little, Christopher Layton and Daniel H. Wells.

At a subsequent meeting of the Board Brigham Young was elected President, Wm. Jennings, Vice President, Joseph A. Young, General Superintendent, Jesse W. Fox, Chief Engineer, John W. Young, Secretary, and D. H. Wells, Treasurer.

55. *Ibid,* of the 19th of May.

56. For full account of the ceremonies and celebration see *Deseret News* of 12th January, 1870.

57. "Is not the Utah Central Railroad in debt?" asked Brigham Young in his speech at the ceremonies of driving the last spike. "Yes, but to none but our own people." Wm. Jennings, Vice President of the road, on the same occasion said: "The Union and Central Pacific lines and almost every line of railroad throughout the country have had to be assisted largely by state or national aid when in course of construction; but the Utah Central has had neither, but is the result of the enterprise, unity and labor of the people of Utah." *Deseret News* of Jan. 12th, 1869.

nental lines,[58] and bids fair to fulfill the expressed conviction of E. H. Harriman, late president of the Union Pacific and other allied railroads, to the effect that "Salt Lake City would become one of the five great railroad and commercial centers of the United States."[59]

58. These are the (1) Denver and Rio Grande and the Western Pacific; (2) Union Pacific and Southern Pacific; (3) Union Pacific and the San Pedro and Los Angeles and Salt Lake Railway. Altogether, however, "Salt Lake City has six great railroad lines, the Oregon Short Line, the Denver & Rio Grande, the Union Pacific, the Western Pacific, the Southern Pacific and the San Pedro, Los Angeles and Salt Lake. It is the junction point for four of these lines. The Oregon Short line connects the city with the north and northwest. It strikes the rich agricultural regions of Idaho and eastern Oregon and the mining camps of Idaho and Montana. It is the only line that enters the famous Yellowstone National Park from the south. The Denver & Rio Grande connects Salt Lake City with Colorado and the East and taps the great coal belt and other mineral bearing zones of eastern Utah. It passes through a country unrivaled for scenic grandeur, as well as forming a line in one of the great transcontinental arteries of commerce. The Western Pacific completes this link to the Pacific Coast. It traverses a great region whose possibilities have scarcely been touched. It is built for miles in Utah on a bed of solid salt, which covers an area nine miles by thirty miles, and has an average depth of ten feet. The San Pedro, Los Aangeles & Salt Lake, "The Salt Route," connects the city with southern California. It reaches the rich mineral and agricultural portions of southern Utah, southern Nevada and northern Arizona, besides being the outlet for one of the greatest wool-producing regions of the country. * * * * The Union Pacific connects Salt Lake City with Wyoming and the East and the Southern Pacific connection with the Pacific Coast, traversing northern Utah and Nevada. The Southern Pacific crosses Great Salt Lake in Utah, on a trestle, a unique and world-famous piece of railroad engineering. Other lines of importance are projected for Salt Lake City, one of which, the Moffatt line, has already been built a considerable distance westward from Denver. This line, when completed, will open the great hydrocarbon fields of eastern Utah and an agricultural area constituting one-third of the state." ("Salt Lake City and the State of Utah," issued by the Publicity Bureau of the Commercial Club of Salt Lake City, p. 29).

59. "Salt Lake City and the State of Utah," p. 30.

Historic Views and Reviews

President Butler in his admirable address to the class of 1914, Columbia University, June 3, 1914, in speaking of the tendency toward regulation and restriction through the exercises of the legislative power to an extent and in directions that hamper the best activities and distract the aims of the citizen, defines these which he designates "substitutes for liberty," as follows: "Each individual may be regarded as a mere nothing, a negligible quality, while the group or mass, with its traditions, its beliefs and its ritual, is exalted to a place of honor and almost of worship." This tendency of regulating by law and tradition the personal acts of individuals was brought to America by the Puritans and enforced in the early laws of the colonies notably in the early settlements in Connecticut.

OLD BLUE LAWS OF NEW HAVEN

No one shall be a free man or have a vote unless he is converted and a member of one of the churches allowed in the dominion.

No dissenter from the essential worship of this dominion shall be allowed a vote for electing of magistrates or any officer.

No food or lodging shall be offered to a heretic.

No one shall cross a river on the Sabbath day but authorized clergymen.

No one shall travel, cook victuals, make beds, sweep houses, cut hair or shave on the Sabbath day.

No one shall kiss his or her children on the Sabbath or feasting days.

The Sabbath day shall begin at sunset Saturday.

Whoever wears clothes trimmed with gold, silver or bone lace above one shilling per yard shall be presented by the Grand Jurors and the Selectmen shall tax the estate £300 ($1,500).

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Whoever brings cards or dice into the dominion shall pay a fine of £5 ($25).

No one shall eat mince pies, dance, play cards, or play any instrument of music except the drum, trumpet or jewsharp.

No man shall court a maid in person or by letter, without obtaining the consent of her parents. Five pounds penalty for first offense, £10 penalty for second offense, and for third offense, imprisonment during the pleasure of the court.

The Declaration Written in a Boarding House

The original title of the Declaration of Independence was as follows: A Declaration by the Representatives of the United States of America in General Congress assembled.

The Declaration Written in Boarding House

Thomas Jefferson wrote the Declaration of Independence in a boarding house. At the time he had his lodgings in the home of Mrs. Clymer, on the southwest corner of Seventh and High streets where now stands the Penn National Bank.

Adams and Jefferson Died the Same Day—July 4, 1826.—James Monroe Died July 4, 1831

On July 4, 1826, John Adams, second president, and Thomas Jefferson, third president of the United States and author of the Declaration of Independence, died.

Where a Signer was Born

Berkley Hundred, Va., was the birthplace of Benjamin Harrison, signer of the Declaration of Independence, born in 1726, and of President William Henry Harrison, born February 9, 1773. During the war McClellan's army destroyed the splendid grove of oaks around the house.

George III Converted Into Bullets

The famous equestrian statue of King George III of gilded lead, that stood in Bowling Green, New York, where it was overturned by the patriotic mob, was finally melted down into 40,000 bullets. These were used by our colonial troops.—*H. Clay Trumbull.*

General Washington's engineers and geographers throughout the Revolution were Gridley, Rufus Putnam, Fleury, Du Portuil and Erskine.

William Henry Harrison's death was the first break in the Presidency after the organization of the government in 1789. John Tyler, Vice-President, succeeded him.

St. Stephen's Episcopal Church, New York City, Founded in March, 1805

The annual dinner of St. Stephen's Episcopal Church was held at the Sherman Square Hotel on Monday evening, and was attended by fifty or more of the men of the congregation. The Rev. Dr. Nathan A. Seagle, rector, acted as chairman; the speakers included John W. Hurlbert, junior warden, who spoke on church work, John W. Wood, of the City Mission Society, who spoke on general mission work, and Clinton T. Taylor, on law in connection with religion. The music was furnished by a male quartet from the choir.

Sutherland G. Taylor, senior warden, gave an interesting address on the history of the church, which was founded in 1805, 109 years ago. He stated that St. Stephen's is the fifth oldest parish in the diocese of New York. In March, 1805, a few churchmen got together for the purpose of organizing a parish on the upper East Side, to meet the needs of the growing section of the city. They purchased land on the corner of Broome and Christie streets, and laid the cornerstone May 7, 1805, and eight

months later, on December 26, 1805, St. Stephen's Day, the church was consecrated by Bishop Moore. All the pews had very high backs, the doors being fastened with a button. The church was heated with hickory logs in four large stoves placed in either corner of the edifice. Portable foot-stoves were provided for the worshippers, and a fee was charged by the sexton to those who could afford the luxury. Large chandeliers hung from the ceiling containing candles for lighting purposes. Pews were purchased for the term of seven years, and were sold to the highest bidder, subject to an annual rental. If the rent was not paid for two successive years the pew was forfeited. It is recorded that one John Mott purchased pew No. 116 for $16, paying an annual rent of $7.

The last services in the old church were held July 2, 1866, and the property sold. The bodies in the adjoining cemetery were removed by the church to lots owned and now kept up by St. Stephen's Church, in Cypress Hills Cemetery, L. I. The congregation worshipped in different churches until early in 1873, when the vestry purchased the Church of the Advent, in West 46th Street, the two congregations consolidating under the name of St. Stephen's Church. In September, 1897, the present church was purchased from the Church of the Transfiguration. The Rev. George Strebeck was the first rector. He was formerly an English Lutheran clergyman, having embraced the Episcopal Communion and been ordained by Bishop Moore in 1804. The second rector was the Rev. Canning Moore, later Bishop of Virginia, 1809 to 1814. Then followed: Rev. Henry James Feltus (1814 to 1829), Rev. Henry Anthon (1829 to 1831), Rev. Francis Lister Hawks (1831 to 1832), Rev. William Jackson (1832 to 1837), Rev. Price (1837 to 1875); Rev. Abraham Bloomer Hart (1875 to 1892), Rev. Charles R. Treat (1892 to 1897). In 1899 the present rector, the Rev. Nathan A. Seagle, came to the church.—*N. Y. Post.*

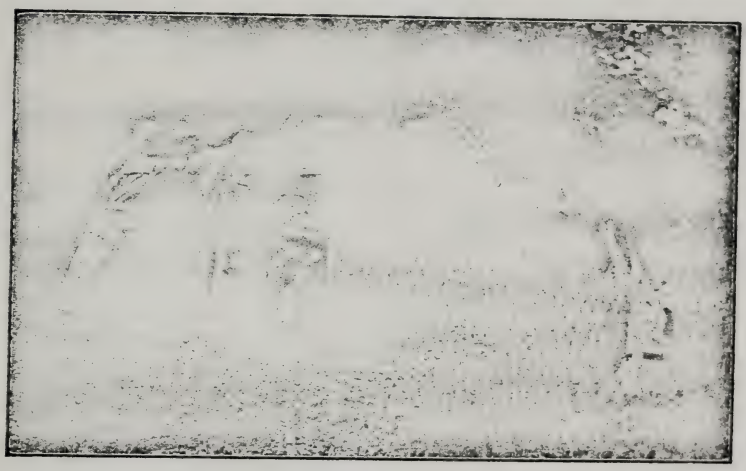
OFFICIAL MANUAL

OF THE

GIRL PIONEERS OF AMERICA

BY LINA BEARD AND ADELIA B. BEARD

with the valuable aid furnished the authors by their brother, David Carter Beard, ("Dan Beard") Chief National Scout Commissioner, and one of the founders of The Boy Scouts of America.



Practicing the throwing of Life Line made of Pioneer neckerchiefs

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131 East 23rd Street, NEW YORK

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